

**MOORE COUNTY PLANNING BOARD
REGULAR MEETING
THURSDAY, FEBRUARY 4 2016, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd Floor**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)
Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of January 7, 2016
- C. Consideration of Abstentions

III. PUBLIC HEARING

1. The applicant, CP6 Investments, LLC, is seeking a Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 57 % on ParID 20050739, owned by CP6 Investments, LLC, located on Juniper Lake Road near the intersection of NC Hwy 211, to construct a new gym/office building, driveway, and associated parking.

IV. WORK SESSION

V. OTHER BOARD MATTERS

VI. PLANNING DEPARTMENT REPORTS

VII. BOARD COMMENT PERIOD

VII. UPCOMING EVENTS

- Tuesday, February 2, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Tuesday, February 16, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Tuesday, March 1, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Thursday, March 3, 2016 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage
- Tuesday, March 15, 2016 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.

VIII ADJOURNMENT

Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is give to the County.

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 1. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 1. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 2. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 3. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 4. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 5. Any applause will be held until the end of the Public Comment Period.*
- 6. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 7. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 8. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY JANUARY 7, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Rich Smith (Chair), Aaron McNeill (Vice Chairman), Gene Horne, Eddie Nobles, David Lambert, Joseph Garrison, Buck Mims

Board Members Absent: Scott McLeod

Staff Present: Debra Ensminger, Planning Director
Brenda White, Deputy County Attorney
Theresa Thompson, Senior Planner
Lydia Cleveland, Administrative and Transportation Program Manager

CALL TO ORDER

Chairman Rich Smith called the meeting to order.

INVOCATION

Board Member Buck Mims offered the invocation.

MISSION STATEMENT

Board Member Gene Horne read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of December 3, 2015
- C. Consideration of Abstentions

Board Member Horne motioned to approve the Consent Agenda and the motion was seconded by Board Member Mims. The motion passed unanimously (7-0).

PUBLIC HEARING(S)

Chairman Smith opened and described Public Hearing #1 as follows;

Pinesage Solar Farm, LLC is requesting a General Use Rezoning of ParID 00018479, owned by McDonald Family Farms as identified in Moore County tax records; the overall parcel is approximately 53.06 acres. A recombination plat was recorded on December 3, 2015 to combine an approximate 26 acres located to the south of the parcel. The request is to rezone the entire 53.06 parcel from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA). The parcel is located north of NC Highway 211.

Senior Planner Theresa Thompson stated the following as part of her presentation. "This request is to rezone an approximate 53 acres from RA-5 and Highway Commercial B-2 to RA. The property is currently undeveloped and the applicant is currently in the process of securing a 50 foot wide and approximately 1700 foot long access easement to NC 211 as illustrated on the recombination plat included in the packets. The adjacent zoning districts comprise of RA-5, B-2, and Planned Unit Development- Hamlet. Adjacent land uses include single family homes, a family cemetery, and undeveloped property. Per the applicants delineation report there are wetlands located on the property. This property is located in the watershed and is located approximately 700 feet north of the urban transition highway corridor overlay district boundary line. Staff has determined there to be general compatibility of uses in the existing proposed zoning districts as indicated on the chart on page 2 of the staff report. The existing zoning districts of this property include RA-5 on the northern half and B-2 on the southern half of the property. There is an overlap of permitted and conditional uses allowed in each district especially for agricultural, recreational, and institutional related uses as indicated on the permitted uses table, included in the packets. For the top half of the property the biggest difference between the existing RA-5 and the proposed RA zoning district is that the RA-5 encourages a lower density development pattern and requires a minimum of 5 acres to subdivide. The minimum lot size in the RA zoning district is 1 acre. The RA and the RA-5 zoning districts allow practically all the same permitted uses. The RA zoning district does allow additional conditional uses that the RA-5 does not though each of these conditional uses would be vetted through the conditional use process. There are more significant differences between B-2 and RA on the bottom half of the property as indicated on the staff report and in the permitted use table. The B2 district is currently zoned as part of a commercial buffer along highway 211. Staff has determined the proposed rezoning request is consistent with the Moore County Land Use Plan Map that classifies this area of land medium density residential which is in general compatibility with the RA zoning district. The Land Use Plan indicates that the medium density land use classification encourages a mixture of residential and some non residential supportive uses such as schools, daycares, churches, and others. The RA zoning district encourages similar mixtures, the biggest differences is that the RA district accommodates additional non residential uses though the majority of these uses are conditional and that requires a separate quasi judicial process. The proposed rezoning request is compatible with the Land Use Plan goals and that the property is a large tract of land and being rezoned to RA

supports operative environments for agriculture. Another goal is to preserve large tracts of prime agricultural land to ensure farming remains a viable part of the local economy. Goal and Action 1.5.2 is to support new developments that utilize existing infrastructure that economically preserves open space. This is a large tract of land and more likely to preserve more open space based on the permitted and conditional uses allowed in the RA zoning district. Examples of permitted uses in the RA district include single family and agricultural uses. The example of conditional uses include manufactured home parks, animal training facilities, solar farms, animal shelters, nursing homes, saw mills, mining, and salvage yards. Therefore the proposed rezoning request is compatible with the Land Use Plan however the Board should consider all permitted uses and conditional uses in the RA zoning district and determine their suitability for the proposed area. Staff recommends the Board to make two separate motions. The first would be to adopt the Planning Board Consistency Statement and the second motion is to endorse the Board of Commissioners to approve or deny the zoning request. The applicants are here to answer any questions.”

Board Member Horne asked for clarification on what the two motions included. Ms. Thompson explained that one is for the consistency statement and the second is for the rezoning request.

Chairman Smith called on Mr. George Ingram who signed up to speak during the hearing. Mr. Ingram explained that he is present representing Sunlight Church Incorporated and he is opposed to the request as an adjoining property owner. Mr. Ingram explained that he feels Moore County is overrun with solar farms and he is concerned about the proximity to Pinehurst.

Board Member Mims asked Mr. Ingram where his church is located in relation to the request. Mr. Ingram explained it is the top building that sits off the road.

Board Member Garrison and Horne discussed the proximity to Pinehurst.

Mr. Brian Quinlan explained he is present on behalf of the applicant. Mr. Quinlan stated the following as part of justification for the request; “The northern part is RA-5 and the southern is B2, you can see that the area sits back about 1400 feet off 211 in a little and stranded location. We are going to rezone and combine the RA-5 and B2 to RA. We have worked closely with the Planning Department to assess the characteristics of the land and to make sure it is consistent with the land use plans in the county. We also held a public hearing before the holidays at Pinehurst Baptist Church, where about 40 landowners showed up and had a good discussion. Everyone was supportive of who was there. Theresa pretty much went through this but just to reiterate the RA-5 and RA are very similar in the general categories of land use. There are some differences between B-2 and RA but the lower density land use categories are the same and then she also mentioned the medium residential category and RA fits right into that. There are some characteristics of the piece of property itself that lend it to be more compatible with a RA zoning classification. There are no trees you can just see dirt on the southern end when they were doing work in that area, so that area is basically reclaimed. There are

compaction issues to reclaimed land that limits the use for that land. Where the red line runs on the west side of the property and the tree line that is on east side kind of comes to a point. All that is wetland, a little island essentially, it is kind of a stranded area. Distribution lines also split the property.”

Chairman Smith asked Mr. Quinlan if has submitted a layout. Mr. Quinlan explained that since it is only a rezoning that hasn’t been submitted.

Chairman Smith asked staff if he can ask specific questions.

Planning Director Debra Ensminger stated No, you have to consider all the uses with the RA zoning district. Even though it is a solar company that is requesting it, it is a general rezoning so you have to consider all the uses. If it is rezoned you receive a conditional use permit for that use.

Board Member David Lambert asked Mr. Quinlan how many people attended the community meeting. Mr. Quinlan stated there were about 40. Board Member Lambert asked if all were in agreement with this request and Mr. Quinlan stated yes.

Board Member Mims asked Ms. Ensminger from her experience and what staff know about the application is there anything in what they are doing that is not in compliance or may be an issue. Ms. Ensminger stated considering the general use rezoning, in the Board’s consideration of the rezoning you should consider all the specific uses and to consider that area is a major vein into Moore County, to consider the Land Use Plan, and to consider the surrounding uses.

Board Member Garrison asked if it is a fair statement to say that this area is huge growth corridor and we have to consider if we allow a rezoning not for specific use but when you open the door something can come in that you don’t like.

Chairman Smith stated that this could be true with anything and Board Member Garrison agreed.

Board Member Mims stated that one thing we must think about is is the proximity to the Pinehurst area and what direction can they grow. There are few directions to grow in and as commercial growth grows out do we want to keep it in that type of zoning or change it.

Ms. Ensminger stated that in considering this request, in our Land Use Plan we committed that we would consider our adjoining jurisdictions and be consistent and be friendly.

Board Member Mims asked for the language from the Land Use Plan that would apply to this request. Ms. Ensminger stated that Ms. Thompson pointed out that it is in the medium density portion but in considering the Land Use Plan you have to look at it in its close proximity to municipalities, where it is located, the highway corridor overlay district, and there is a lot to consider.

Board Member Garrison stated that it was zoned the way it was for a reason based on the fact that is a main growth corridor and I would encourage all Board members before we vote to consider this fact.

Board Member Mims stated that for him if you were to zone that area RA you could cut out any commercial and retail that could go there for some time.

Vice Chairman McNeill asked if access has been granted to this property from a major road. Ms. Ensminger explained that the applicant is the process of obtaining an access easement.

Board Member Horne stated that this request is good distance off the road and doesn't think it shuts retail out completely. Board Member Horne further asked if this area has county water and sewer. Ms. Ensminger confirmed this area has access to both water and sewer.

Board Member Lambert asked what impact the reclaimed land would have on development and is it still buildable. Ms. Ensminger stated that it is still buildable and we should not be considering this only the ordinance, the surrounding area, and the uses.

Board Member Mims made a motion to not adopt the attached Moore County Planning Board Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Garrison. The motion was denied unanimously (7-0).

Board Member Mims stated that we have a very robust area with a lot of growth and right now it is 1500 feet off the road but that may not be case in the future.

Board Member Nobles stated that he concerned about the single family homes, the churches and the wetlands as well.

Board Member Mims made a motion to endorse the Moore County Board of Commissioners to deny the general use rezoning of the parcel known as ParID 00018479 as identified in Moore County tax records from Residential & Agricultural-5 (RA-5) and Highway Commercial (B-2) to Rural Agricultural (RA) as proposed. The motion was seconded by Board Member Garrison. The motion was denied unanimously (7-0).

WORK SESSION

Ms. Thompson reviewed Chapter 7 (Non Residential Screening) and Chapter 20 (Watershed Overlay District). Chapter 7 has been reviewed before but the last page reviewing Highway Overlay Corridor District was added because it was reduced to one page. Ms. Thompson reviewed all the items that were removed from the current Highway Overlay Corridor District article.

Ms. Thompson explained that Chapter 20 is entirely based on General Statute 143 Article 21 as well as NC Environmental Management Commission.

OTHER BOARD MATTERS

No other board matters were discussed.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger stated that there will be a SNIA request for February as well as another work session.

BOARD COMMENT PERIOD

Vice Chairman McNeill asked for an update on the cell towers that were approved months ago. Ms. Ensminger stated that Sam's Place, Dowd Road, and Borden Road have all been built but currently do not have any antennas. We have reached out to both AT&T and American Tower and will give an update at the February meeting.

ADJOURNMENT

Respectfully submitted by,

Lydia Cleveland

MEMORANDUM TO THE WATERSHED REVIEW BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: January 8, 2016

SUBJECT: Special Non-residential Intensity Allocation (SNIA) Request

APPLICANT: CP6 Investments, LLC

PRESENTER: Theresa Thompson

REQUEST:

The applicant, CP6 Investments, LLC, is seeking a Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 57.4 % on ParID 20050739, owned by CP6 Investments, LLC, located on Juniper Lake Road near the intersection of NC Hwy 211, to construct a new gym/office building, driveway, and associated parking. This case was properly advertised.

SITE DATA AND STANDARDS:

- The parcel is 2.25 acres and is currently undeveloped.
- The applicant is requesting to increase the total built-upon area to 1.29 acres (56,214 square feet) or 57.4% of the project site.
- The submitted application and site plan meets all required standards and conditions set forth in the Moore County Unified Development Ordinance.
- The property is within the WS-III-BW Nick's Creek Watershed which limits non-residential development to 24% built-upon area except approval of a SNIA authorizes up to 70% built-upon area.
- Eleven (11) SNIA's have been issued in the Nick's Creek Watershed for a total of 38.18 acres leaving a balance of 365.183 acres for future allocation.

	Original Total Area of Watershed (acres)	Current Total Area (acres)	5/70 Allocation (acres)	10% Public Projects Set Aside (acres)	SNIA Approvals (since 1993)	Allocation Used (acres)	Allocation Remaining - Public Set Aside (acres)	Allocation Transfer to Municipalities (acres) 8/21/2012	Allocation Transfer to Town of Southern Pines for SCC (acres) 8/20/2013
WS-III-BW Nick's Creek	12,323.00	8,067.26	403.36	40.34	11	38.18	324.85	-3,330.74	-925.00

- If this SNIA request is approved the Allocation Remaining for future projects will be 322.60 acres.

	Original Total Area of Watershed (acres)	Current Total Area (acres)	5/70 Allocation (acres)	10% Public Projects Set Aside (acres)	SNIA Approvals (since 1993)	Allocation Used (acres)	Allocation Remaining - Public Set Aside (acres)	Allocation Transfer to Municipalities (acres) 8/21/2012	Allocation Transfer to Town of Southern Pines for SCC (acres) 8/20/2013
WS-III-BW Nick's Creek	12,323.00	8,067.26	403.36	40.34	11	40.43	322.60	-3,330.74	-925.00

STAFF RECOMMENDATION

Staff recommends the Moore County Watershed Review Board make the following motion:

Motion #1: Make a motion to approve the Special Non-residential Intensity Allocation (SNIA) on the parcel known as ParID 20050739.

ATTACHMENTS:

Land Use Map and Adjacent Pictures

Vicinity Map

SNIA Application

Submitted Site Plan

LAND USE MAP



PICTURES OF SITE AND ADJACENT PROPERTIES

1. Proposed Gym/Office Business Site



2. Southbound view of Juniper Lake Road (SNIA site is located on the left hand side)



3. View directly across Juniper Lake Road (Plumbing Knights Business)

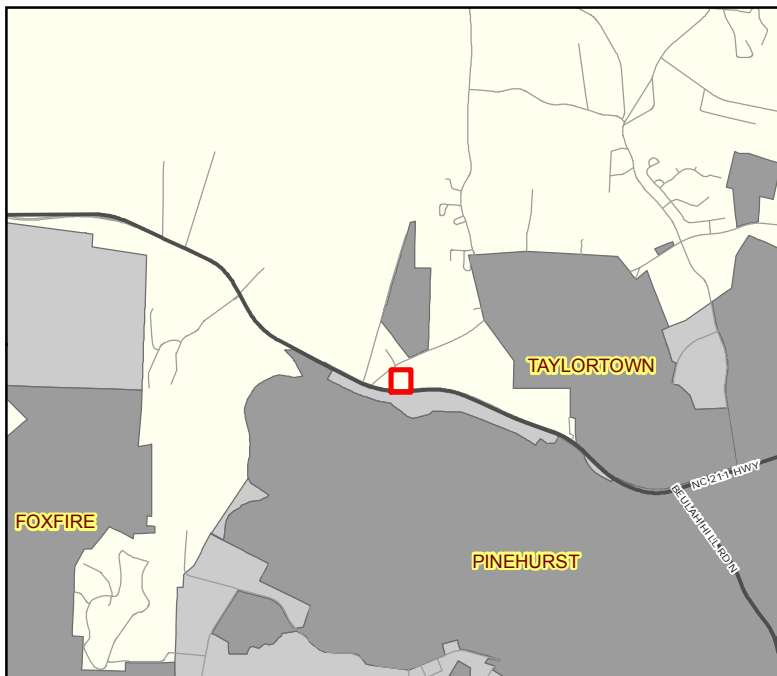


4. Northbound view of Juniper Lake Road (SNIA site on the right hand side)

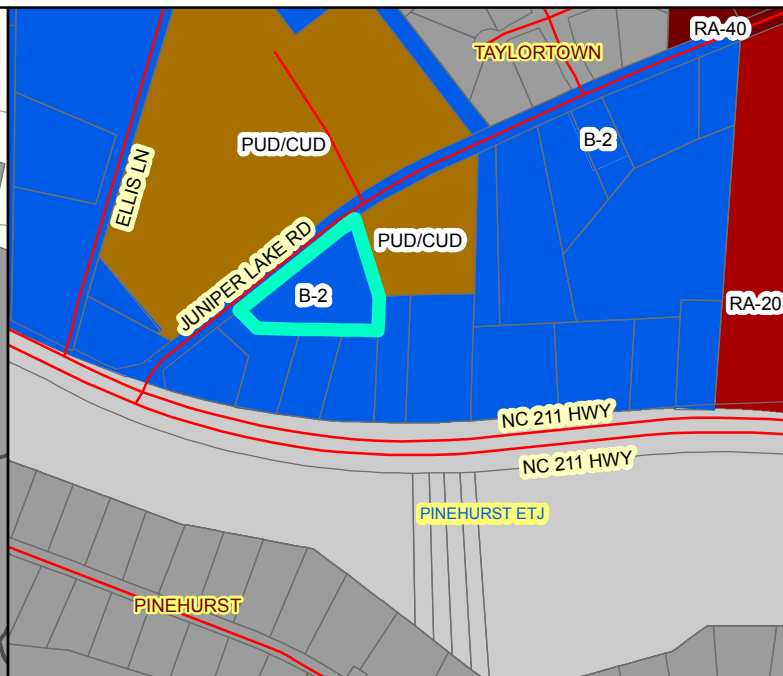


5. View of Adjacent Property (Vanguard Veterinary Office in the background)





County Location Map
1 in = 1 miles



Current Zoning
1 inch = 630 feet



Aerial Photography 2010
1 inch = 214 feet



Moore County GIS Disclaimer:
All the information contained on this media is prepared for the inventory of real property found within Moore County. All data is compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information. All information contained herein was created for the County's internal use. MOORE COUNTY, ITS OFFICIALS, AGENTS AND EMPLOYEES MAKE NO WARRANTY AS TO THE CORRECTNESS OR ACCURACY OF THE INFORMATION SET FORTH ON THIS MEDIA, WHETHER EXPRESS OR IMPLIED, IN FACT OR IN LAW, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE. Any use of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10.
Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

Vicinity Map
Owner: CP6 Investments, LLC
Applicant: CP6 Investments, LLC
SNIA Request

ParID 20050739

Legend

B-1	PUD/CUD	RA-40
B-1-CUD	PUD-H	R-MH
B-2	RA	RA-CUD
GC-SL	RA-2	RA-USB
GC-WL	RA-2-CUD	RE
I	RA-5	VB
P-C	RA-20	VB-CUD



PLANNING & COMMUNITY DEVELOPMENT



P.O. Box 905
1048 Carriage Daks Drive
Carthage, NC 28327
Planning: 910.947.5010
Central Permitting: 910.947.2221
Fax: 910.947.1303
www.moorecountync.gov

Special Non-Residential Intensity Application			
Application Date:			
Location/Address of Property: 1000' NE on Juniper Lake Road from its intersection with Hwy 211			
Applicant: CP6 Investments, LLC		Phone:	
Applicant Address: 2860-B NC Hwy 5	City: Aberdeen	St: NC	Zip: 28315
Owner: CP6 Investments, LLC		Phone: 910-235-0565	
Owner Address: 2860-B NC Hwy 5	City: Aberdeen	St: NC	Zip: 28315
Proposed Use on the Property: Office and Gym			
Existing Impervious Surface (sqft): 0		Proposed Impervious Surface (sqft): 56,214	
Total Project Size (acres): 2.25			
Comments:			
The following information must be submitted with all applications requesting a Special Non-Residential Intensity Allocation:			
<input type="checkbox"/> Site Plan prepared by licensed individual showing all existing and proposed structures and distances from property lines as well as all proposed stormwater drainage designs.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Planning and Zoning Administrator.			
Owner Signature: <u>[Signature]</u>		Date: <u>01-08-16</u>	
Owner Signature: _____		Date: _____	
Office Use Only:			
LRK: <u>20050739</u>		Zoning District: <u>B-2</u>	
Received By: <u>[Signature]</u>		Date: <u>1/8/16</u>	



January 8, 2016

Moore County Planning
Attn: Theresa Thompson
PO Box 905
Carthage, NC 28327

RE: Site Plan Submittal, West End Dollar Office and Training Facility, Moore County, North Carolina

Theresa:

We are submitting the construction drawings for the West End Office and Training Facility site. Please find enclosed a copy of the construction drawings as well as the SNIA application. The site is within the WS-IIIIBW watershed. The impervious area of the project exceeds the maximum of 24%. We are submitting a SNIA application to exceed the 24% impervious requirement. Storm water BMP measures have been designed on site in accordance with the NCDENR Storm water BMP manual. The BMP measures satisfy the requirements of the NCDENR manual. The total impervious area for the project is 56,214 sf or 57.4%.

I look forward to working with you on this project. If you have any questions or concerns, please feel free to contact us.

Sincerely,
4D Site Solutions, Inc.

Scott Brown, PE
sbrown@4dsitesolutions.com

Enclosure

REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

**WEST END
OFFICE &
TRAINING
FACILITY**

TAX ID# 854315723807
JUNIPER LAKE ROAD
MINERAL SPRINGS
TOWNSHIP
NEAR WEST END
MOORE COUNTY
NORTH CAROLINA

CLIENT

**CP6 INVESTMENTS,
LLC**

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CHRIS
DRAWN BY:	CHRIS
CHECKED BY:	SCOTT
PROJECT NUMBER:	1041

DRAWING SCALE

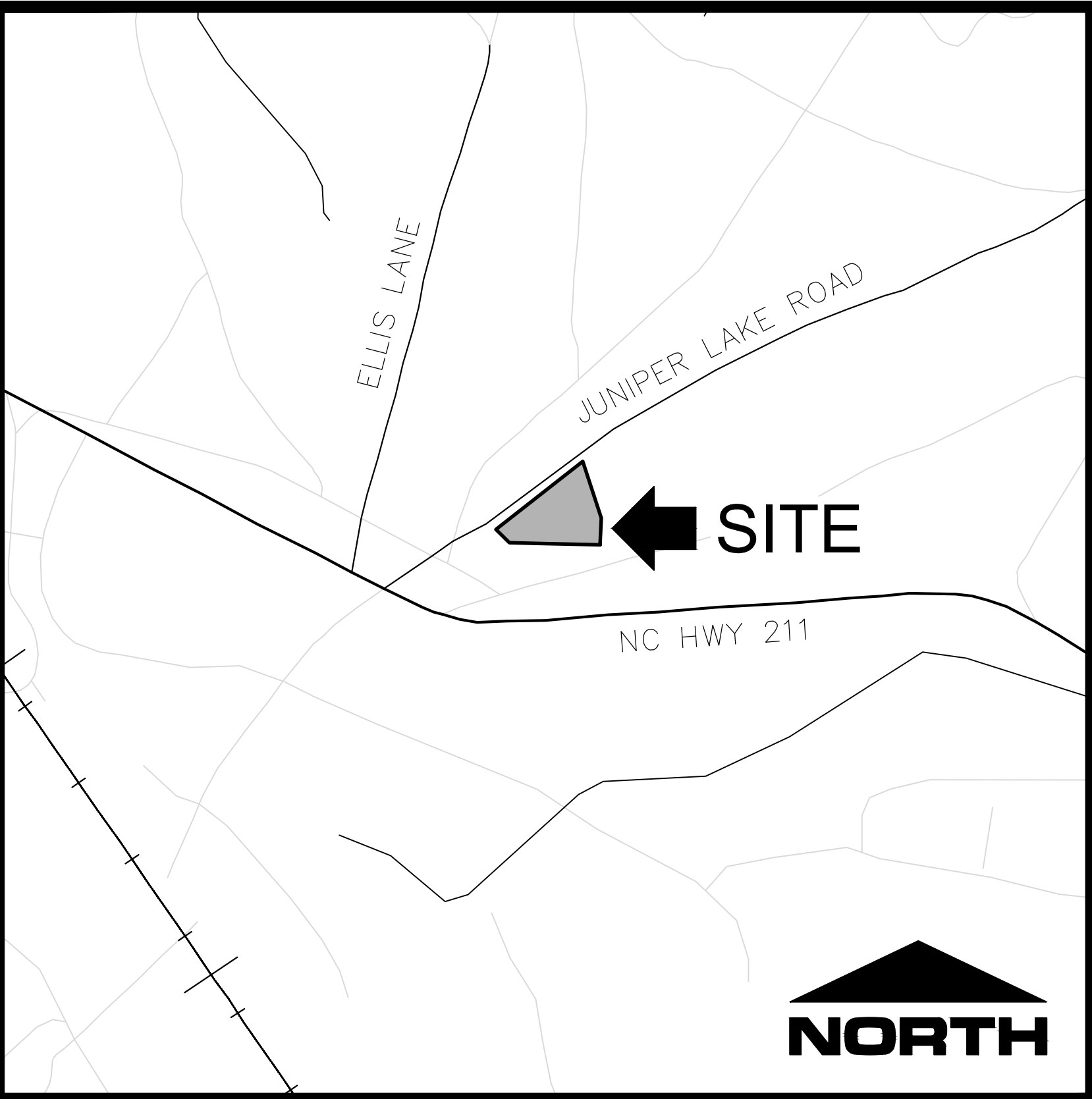
SEE SHEETS

DATE RELEASED

DECEMBER 21, 2015

WEST END OFFICE & TRAINING FACILITY SITE DEVELOPMENT PLANS

MINERAL SPRINGS TOWNSHIP
NEAR WEST END, NORTH CAROLINA
MOORE COUNTY



VICINITY MAP NOT TO SCALE

EXISTING UTILITY OWNER

WATER AND SEWER

MOORE COUNTY PUBLIC UTILITIES

5227 US HWY 15/501

Carthage, North Carolina 28327

910-947-6315

Contact: Randy Gould



CIVIL ENGINEER

4D SITE SOLUTIONS, INC.

409 Chicago Drive - Suite 112

Fayetteville, North Carolina 28306

910-426-6777

Contact: Scott Brown, PE

email: sbrown@4dsitesolutions.com

INDEX OF DRAWINGS

C1.0 - EXISTING CONDITIONS

C2.0 - SITE PLAN

C3.0-3.1 - GRADING AND EROSION CONTROL PLAN

C4.0 - UTILITY PLAN

C5.0-C5.2 - PROFILES

C6.0 - SITE DETAILS

C6.1 - EROSION CONTROL DETAILS

C6.2 - WATER DETAILS

C6.3 - STORM DETAILS

OWNER/DEVELOPER

CP6 INVESTMENTS, LLC

2860-B NC Highway 5

Aberdeen, North Carolina 28315

910-944-0881

Contact: Rich Smith

email: rich@par5development.com

SURVEYOR

4D SITE SOLUTIONS, INC.

409 Chicago Drive - Suite 112

Fayetteville, North Carolina 28306

910-426-6777

Contact: Jimmy Holland, PLS

email: jholland@4dsitesolutions.com

THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 48 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED



- I, SEAN R. SEEVER, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

I, SEAN R. SEEVER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED OR ASSOCIATION RECORDED IN BOOK _____ PAGE _____ OR OTHER REFERENCE SOURCE _____); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____ PAGE _____ OR OTHER REFERENCE SOURCE _____; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:_____, AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600). WITNESS MY HAND AND SEAL THIS 22 DAY OF XXXXXX, 2015.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

- NOTES:**
1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 2. COMMISSION FACTORY #09987283
 3. LOCALIZATION POINT N: 532.568 S: 2.1; 1,846.694 E: 2.0
 4. CONTROL ESTABLISHED BY NORTH CAROLINA GEODETIC SURVEY
 5. THE HORIZONTAL AND VERTICAL CONTROL FOR THIS SURVEY IS BASED ON THE HIGHER ORDER NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM.
 6. LINES NOT SURVEYED ARE SHOWN AS DASHED LINES WITH THE FOLLOWING REFERENCES:
 - a. UNDEVELOPED AREAS
 - b. NONCONFORMING STRUCTURES HAVE NOT BEEN CREATED BY THIS SURVEY.
 7. THE PROPERTY IS THE SAME AS THE PROPERTY DESCRIBED IN THAT CERTAIN TITLE COMMITMENT ID: 20100169A8 ISSUED BY INVESTORS TITLE INSURANCE COMPANY WITH AN EXEMPTION FROM RECORDATION AND ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SUBJECT PROPERTY. THOSE KNOWN TO US HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
 8. THE UNDERLYING INTERESTS WITHIN THIS MAPPED AREA MAY NOT BE SHOWN ON THIS PLAN. DEVELOPERS OR CONTRACTORS SHOULD NOT ONLY MAKE SUBSEQUENT RESEARCH INTO ANY OTHER POSSIBLE FLOOD CONTINGENCIES WHICH MIGHT ARISE BY REASON OF ENCOUNTERING UNRECORDED LINES OR OF LINES BEING IN VIOLATION THEREOF INDICATED ON THIS SURVEY.
 9. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD ZONE. IT IS INTENDED TO MATCH THE 202000 OF THE FLOOD INSURANCE RATE, DATED OCTOBER 17, 2011.

TOTAL AREA: (BY COORDINATE COMPUTATION)
98,177 SF (2.538 AC)

PIN NO: 854315723807

ZONING: B-2
50' FRONT
0' SIDE
25' REAR

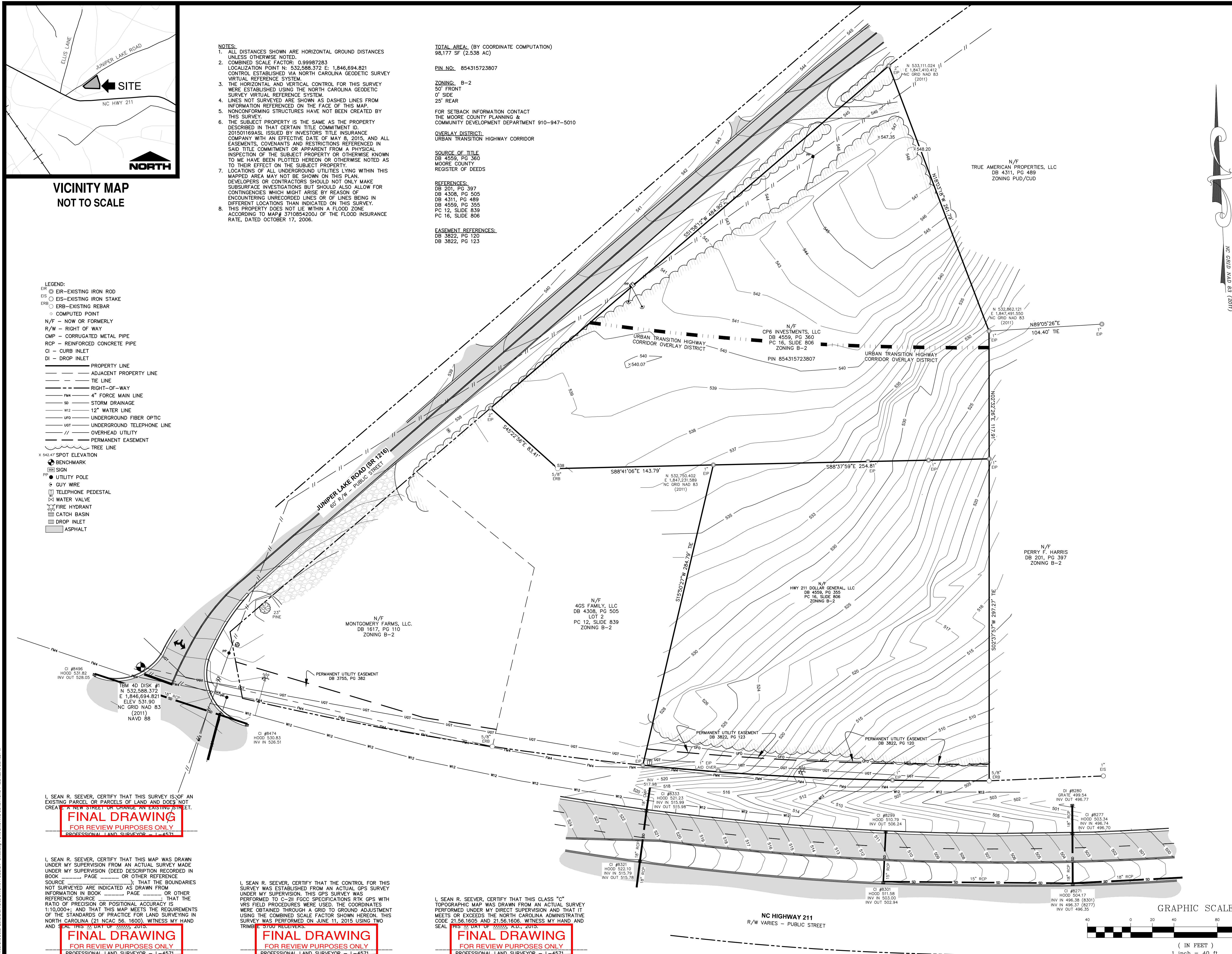
FOR SETBACK INFORMATION CONTACT
THE MOORE COUNTY PLANNING &
COMMUNITY DEVELOPMENT DEPARTMENT 910-947-5010

OVERLAY DISTRICT:
URBAN TRANSITION HIGHWAY CORRIDOR

SOURCE OF TITLE
DB 4559, PG 360
MOORE COUNTY
REGISTER OF DEEDS

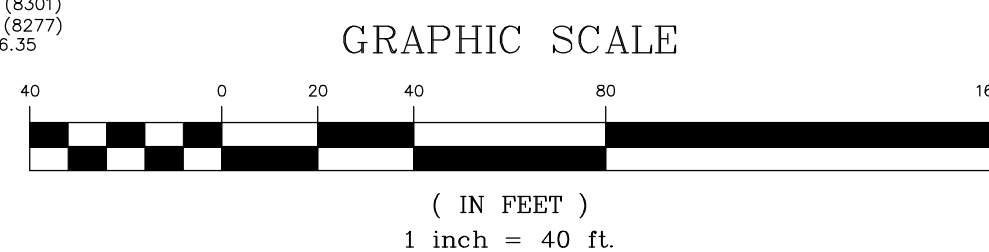
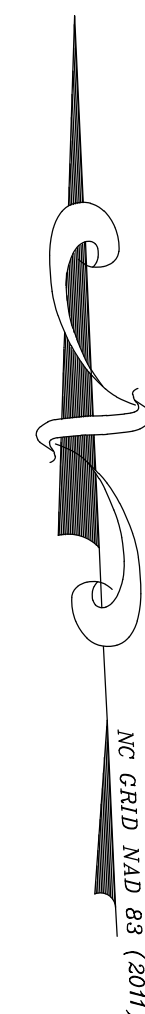
REFERENCES:
DB 201, PG 397
DB 4308, PG 505
DB 4311, PG 489
DB 4559, PG 355
PC 12, SLIDE 839
PC 16, SLIDE 806

EASEMENT REFERENCES
DB 3822, PG 120
DB 3822, PG 123



I, SEAN R. SEEVER, CERTIFY THAT THIS CLASS "C" TOPOGRAPHIC MAP WAS DRAWN FROM AN ACTUAL SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND THAT IT MEETS OR EXCEEDS THE NORTH CAROLINA ADMINISTRATIVE CODE 21.56.1605 AND 21.56.1606. WITNESS MY HAND AND SEAL THIS XX DAY OF XXXXX, A.D., 2015.

FINAL DRAWING
FOR REVIEW PURPOSES ONLY



REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

**WEST END
OFFICE &
TRAINING
FACILITY**

EXISTING CONDITIONS

CLIENT

CP6 INVESTMENTS,
LLC

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

SURVEYED BY:	BOBBY
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1041

DRAWING SCALE

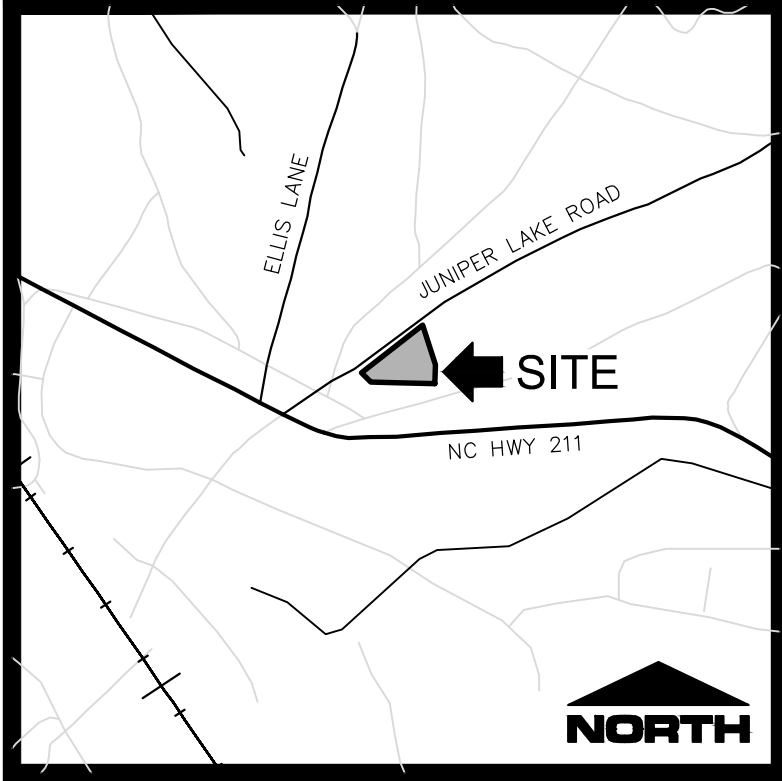
HORIZONTAL: 1"=40'

DATE SURVEYED _____

JUNE 11, 2015

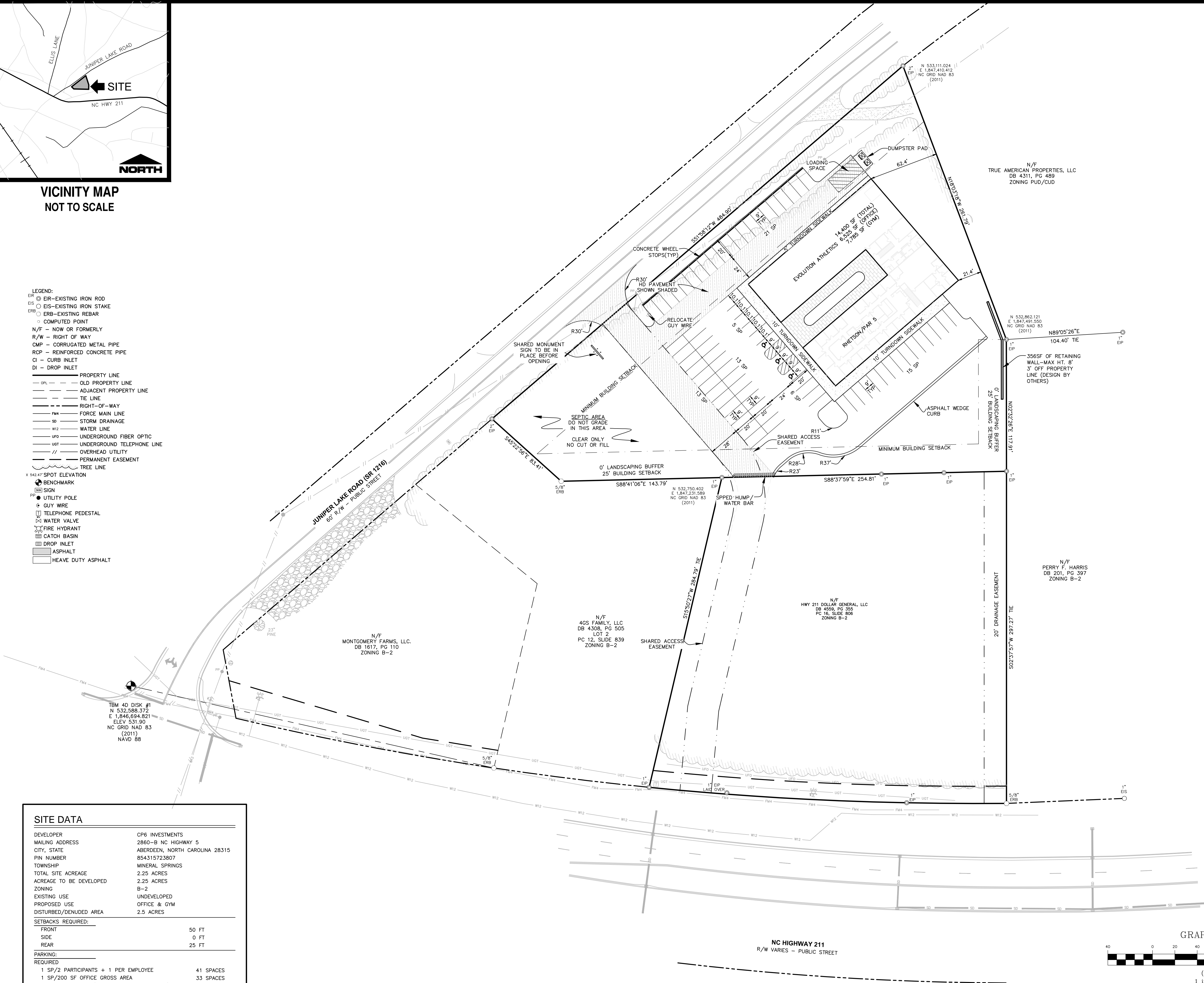
SHEET NUMBER

C-1.0



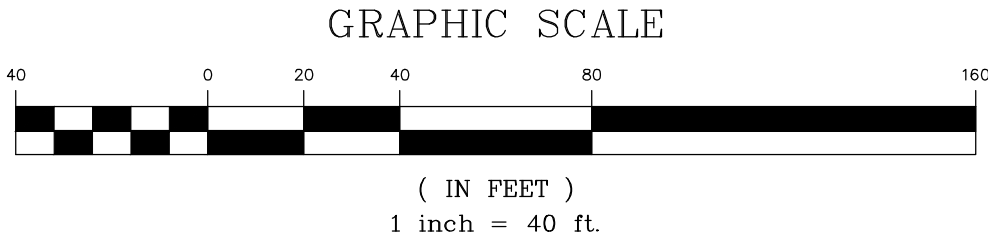
VICINITY MAP
NOT TO SCALE

- LEGEND:
- EIP - EXISTING IRON PIPE
EIS - EXISTING IRON STAKE
ERB - EXISTING REBAR
CP - COMPUTED POINT
N/F - NOW OR FORMERLY
R/W - RIGHT OF WAY
CMP - CORRUGATED METAL PIPE
RCP - REINFORCED CONCRETE PIPE
CI - CURB INLET
DI - DROP INLET
- PROPERTY LINE
OPL - OLD PROPERTY LINE
ADJACENT PROPERTY LINE
TIE LINE
RIGHT-OF-WAY
FMA - FORCE MAIN LINE
SD - STORM DRAINAGE
W2 - WATER LINE
UFO - UNDERGROUND FIBER OPTIC
UGT - UNDERGROUND TELEPHONE LINE
OVERHEAD UTILITY
PERMANENT EASEMENT
TREE LINE
- X 542.47' SPOT ELEVATION
BENCHMARK
SIGN
PP - UTILITY POLE
GUY WIRE
TELEPHONE PEDESTAL
WATER VALVE
FIRE HYDRANT
CATCH BASIN
DROP INLET
ASPHALT
HEAVE DUTY ASPHALT



SITE DATA

DEVELOPER	CP6 INVESTMENTS
MAILING ADDRESS	2860-B NC HIGHWAY 5
CITY, STATE	ABERDEEN, NORTH CAROLINA 28315
FIN NUMBER	954315723807
TOWNSHIP	MINERAL SPRINGS
TOTAL SITE ACREAGE	2.25 ACRES
ACREAGE TO BE DEVELOPED	2.25 ACRES
ZONING	B-2
EXISTING USE	UNDEVELOPED
PROPOSED USE	OFFICE & GYM
DISTURBED/DENUDED AREA	2.5 ACRES
SETBACKS REQUIRED:	
FRONT	50 FT
SIDE	0 FT
REAR	25 FT
PARKING:	
REQUIRED	
1 SP/2 PARTICIPANTS + 1 PER EMPLOYEE	41 SPACES
1 SP/200 SF OFFICE GROSS AREA	33 SPACES
PROPOSED SPACES (INCLUDES 2 NEW HANDICAP)	74 SPACES
PROVIDED SPACES (INCLUDES 2 NEW HANDICAP)	74 SPACES



REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

WEST END
OFFICE &
TRAINING
FACILITY

SITE PLAN

CLIENT

CP6 INVESTMENTS,
LLC

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CHRIS
DRAWN BY:	CHRIS
CHECKED BY:	SCOTT
PROJECT NUMBER:	1041

DRAWING SCALE

HORIZONTAL: 1"=40'

DATE RELEASED

JANUARY 7, 2016

SHEET NUMBER

C-2.0



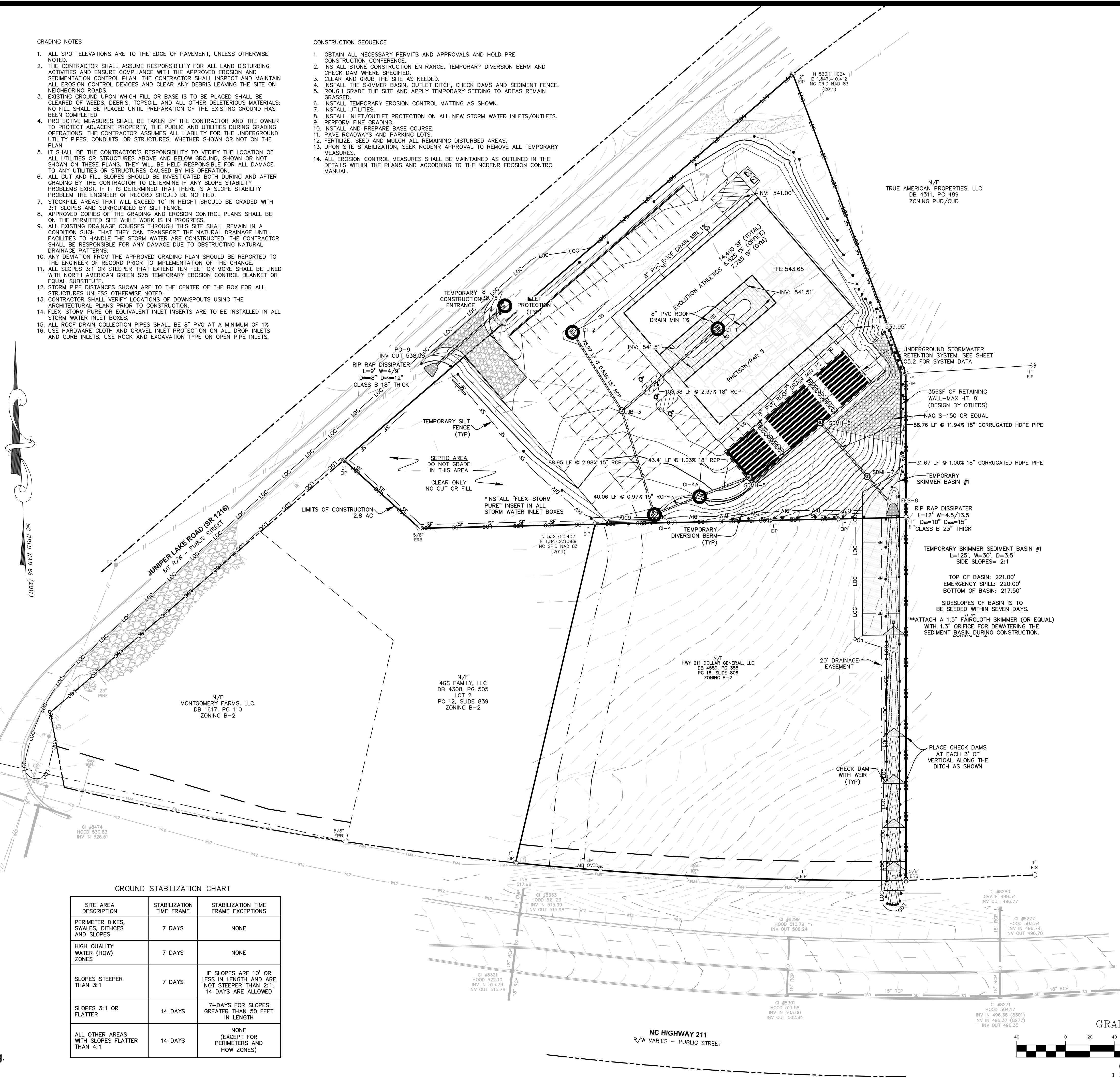
- NC GRID NAD 83 (2011)

SITE AREA DESCRIPTION	STABILIZATION TIME FRAME	STABILIZATION TIME FRAME EXCEPTIONS
PERMETER DIKES, SWALES, DITCHES AND SLOPES	7 DAYS	NONE
HIGH QUALITY WATER (HOW) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' OR LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7-DAYS FOR SLOPES GREATER THAN 50 FEET IN LENGTH
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE (EXCEPT FOR PERIMETERS AND HOW ZONES)



THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 48 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED

- ### CONSTRUCTION SEQUENCE
1. OBTAIN ALL NECESSARY PERMITS AND APPROVALS AND HOLD PRE CONSTRUCTION CONFERENCE.
 2. INSTALL STONE CONSTRUCTION ENTRANCE, TEMPORARY DIVERSION BERM AND CHECK DAM WHERE SPECIFIED.
 3. CLEAR AND GRUB THE SITE AS NEEDED.
 4. INSTALL THE SKIMMER BASIN, OUTLET DITCH, CHECK DAMS AND SEDIMENT FENCE.
 5. ROUGH GRADE THE SITE AND APPLY TEMPORARY SEEDING TO AREAS REMAIN GRASSED.
 6. INSTALL TEMPORARY EROSION CONTROL MATTING AS SHOWN.
 7. INSTALL UTILITIES.
 8. INSTALL INLET/OUTLET PROTECTION ON ALL NEW STORM WATER INLETS/OUTLETS.
 9. PERFORM FINE GRADING.
 10. INSTALL AND PREPARE BASE COURSE.
 11. PAVE ROADWAYS AND PARKING LOTS.
 12. FERTILIZE, SEED AND MULCH ALL REMAINING DISTURBED AREAS.
 13. UPON SITE STABILIZATION, SEEK NCDENR APPROVAL TO REMOVE ALL TEMPORARY MEASURES.
 14. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AS OUTLINED IN THE DETAILS WITHIN THE PLANS AND ACCORDING TO THE NCDENR EROSION CONTROL MANUAL.



FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

WEST END OFFICE & TRAINING FACILITY

GRADING AND EROSION CONTROL PLAN

CLIENT

**CP6 INVESTMENTS,
LLC**

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CHRIS
DRAWN BY:	CHRIS
CHECKED BY:	SCOTT
PROJECT NUMBER:	1041

DRAWING SCALE

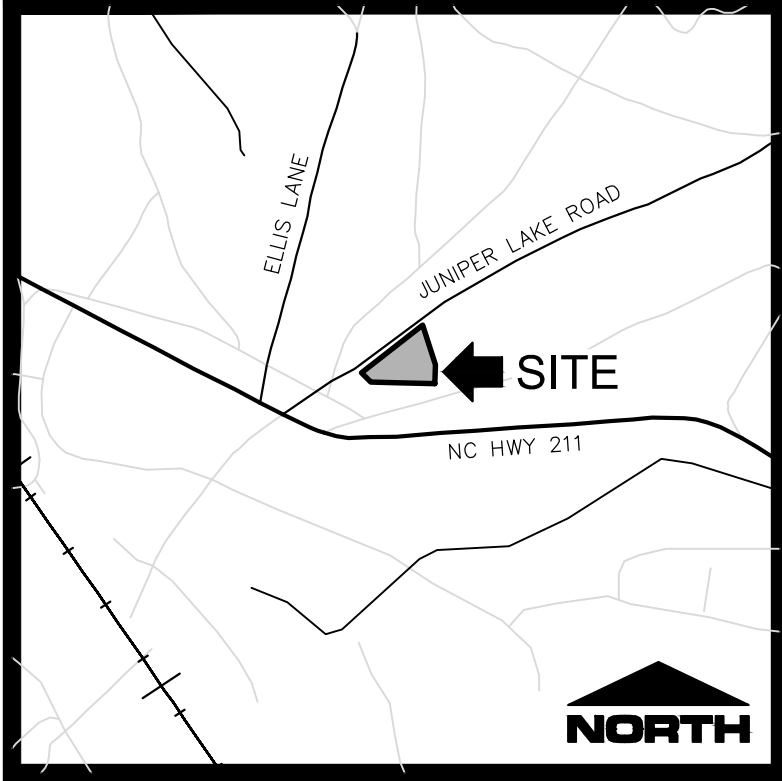
HORIZONTAL: 1"=40'

DATE RELEASED

JANUARY 7, 2016

SHEET NUMBER

C-3.0



VICINITY MAP
NOT TO SCALE

- LEGEND:
- EIR - EXISTING IRON ROD
 - EIS - EXISTING IRON STAKE
 - ERB - EXISTING REBAR
 - COMPUTED POINT
 - N/F - NOW OR FORMERLY
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 - RCP - REINFORCED CONCRETE PIPE
 - CI - CURB INLET
 - DI - DROP INLET
 - PROPERTY LINE
 - OLD PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - TIE LINE
 - RIGHT-OF-WAY
 - FORCE MAIN LINE
 - STORM DRAINAGE
 - WATER LINE
 - UNDERGROUND FIBER OPTIC
 - UNDERGROUND TELEPHONE LINE
 - OVERHEAD UTILITY
 - PERMANENT EASEMENT
 - LIMITS OF CONSTRUCTION
 - DIV - DIVERSION BERM
 - SF - SEDIMENT FENCING
 - GV - GRAVEL DIVERSION BERM
 - TREE LINE
 - SPOT ELEVATION
 - BENCHMARK
 - SIGN
 - UTILITY POLE
 - GUY WIRE
 - TELEPHONE PEDESTAL
 - WATER VALVE
 - FIRE HYDRANT
 - CATCH BASIN
 - DROP INLET
 - STONE
 - ASPHALT
 - TURF REINFORCEMENT MATTING
 - INLET PROTECTION

GRADING NOTES

- ALL SPOT ELEVATIONS ARE TO THE EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ALL LAND DISTURBING ACTIVITIES AND ENSURE COMPLIANCE WITH THE APPROVED EROSION AND SEDIMENTATION CONTROL PLAN. THE CONTRACTOR SHALL INSPECT AND MAINTAIN ALL EROSION CONTROL DEVICES AND CLEAR ANY DEBRIS LEAVING THE SITE ON NEIGHBORING ROADS.
- EXISTING GROUND UPON WHICH FILL OR BASE IS TO BE PLACED SHALL BE CLEARED OF WEEDS, DEBRIS, TOPSOIL, AND ALL OTHER DELETERIOUS MATERIALS; NO FILL SHALL BE PLACED UNTIL PREPARATION OF THE EXISTING GROUND HAS BEEN COMPLETED.
- PROTECTIVE MEASURES SHALL BE TAKEN BY THE CONTRACTOR AND THE OWNER TO PROTECT ADJACENT PROPERTY, THE PUBLIC AND UTILITIES DURING GRADING OPERATIONS. THE CONTRACTOR ASSUMES ALL LIABILITY FOR THE UNDERGROUND UTILITY PIPES, CONDUITS, OR STRUCTURES, WHETHER SHOWN OR NOT ON THE PLAN.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES OR STRUCTURES ABOVE AND BELOW GROUND, SHOWN OR NOT SHOWN ON THESE PLANS. THEY WILL BE HELD RESPONSIBLE FOR ALL DAMAGE TO ANY UTILITIES OR STRUCTURES CAUSED BY HIS OPERATION.
- ALL CUT AND FILL SLOPES SHOULD BE INVESTIGATED BOTH DURING AND AFTER GRADING BY THE CONTRACTOR TO DETERMINE IF ANY SLOPE STABILITY PROBLEMS EXIST. IF IT IS DETERMINED THAT THERE IS A SLOPE STABILITY PROBLEM THE ENGINEER OF RECORD SHOULD BE NOTIFIED.
- STOCKPILE AREAS THAT WILL EXCEED 10' IN HEIGHT SHOULD BE GRADED WITH 3:1 SLOPES AND SURROUNDED BY SILT FENCE.
- APPROVED COPIES OF THE GRADING AND EROSION CONTROL PLANS SHALL BE ON THE PERMITTED SITE WHILE WORK IS IN PROGRESS.
- ALL EXISTING DRAINAGE COURSES THROUGH THIS SITE SHALL REMAIN IN A CONDITION SUCH THAT THEY CAN TRANSPORT THE NATURAL DRAINAGE UNTIL FACILITIES TO HANDLE THE STORM WATER ARE CONSTRUCTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DUE TO OBSTRUCTING NATURAL DRAINAGE PATTERNS.
- ANY DEVIATION FROM THE APPROVED GRADING PLAN SHOULD BE REPORTED TO THE ENGINEER OF RECORD PRIOR TO IMPLEMENTATION OF THE CHANGE.
- ALL SLOPES 3:1 OR STEEPER THAT EXTEND TEN FEET OR MORE SHALL BE LINED WITH NORTH AMERICAN GREEN S75 TEMPORARY EROSION CONTROL BLANKET OR EQUAL SUBSTITUTE.
- STORM PIPE DISTANCES SHOWN ARE TO THE CENTER OF THE BOX FOR ALL STRUCTURES UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL VERIFY LOCATIONS OF DOWNSPOUTS USING THE ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION.
- FLEX-STORM PUMP OR EQUIVALENT INLET INSERTS ARE TO BE INSTALLED IN ALL STORM WATER INLET BOXES.
- ALL ROOF DRAIN COLLECTION PIPES SHALL BE 8" PVC AT A MINIMUM OF 1% AND CURE INLETS. USE ROCK AND EXCAVATION TYPE ON OPEN PIPE INLETS.
- USE HARDWARE CLOTH AND GRAVEL INLET PROTECTION ON ALL DROP INLETS AND CURE INLETS. USE ROCK AND EXCAVATION TYPE ON OPEN PIPE INLETS.

CONSTRUCTION SEQUENCE

- OBTAIN ALL NECESSARY PERMITS AND APPROVALS AND HOLD PRE CONSTRUCTION CONFERENCE.
- INSTALL STONE CONSTRUCTION ENTRANCE, TEMPORARY DIVERSION BERM AND CHECK DAM WHERE SPECIFIED.
- CLEAR AND GRUB THE SITE AS NEEDED.
- INSTALL THE SKIMMER BASIN, OUTLET DITCH, CHECK DAMS AND SEDIMENT FENCE.
- ROUGH GRADE THE SITE AND APPLY TEMPORARY SEEDING TO AREAS REMAIN GRASSED.
- INSTALL TEMPORARY EROSION CONTROL MATTING AS SHOWN.
- INSTALL UTILITIES.
- INSTALL INLET/OUTLET PROTECTION ON ALL NEW STORM WATER INLETS/OUTLETS.
- PERFORM FINE GRADING.
- INSTALL AND PREPARE BASE COURSE.
- PAVE ROADWAYS AND PARKING LOTS.
- FERTILIZE, SEED AND MULCH ALL REMAINING DISTURBED AREAS.
- UPON SITE STABILIZATION, SEEK NC DENR APPROVAL TO REMOVE ALL TEMPORARY MEASURES.
- ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AS OUTLINED IN THE DETAILS WITHIN THE PLANS AND ACCORDING TO THE NC DENR EROSION CONTROL MANUAL.

N/F
TRUE AMERICAN PROPERTIES, L
DB 4311, PG 489
ZONING PUD/CUD

REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

WEST END
OFFICE &
TRAINING
FACILITY

GRADING
DETAIL-
SPOT
ELEVATIONS

CLIENT

CP6 INVESTMENTS,
LLC

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CHRIS
DRAWN BY:	CHRIS
CHECKED BY:	SCOTT
PROJECT NUMBER:	1041

DRAWING SCALE

HORIZONTAL: 1"=40'

DATE RELEASED

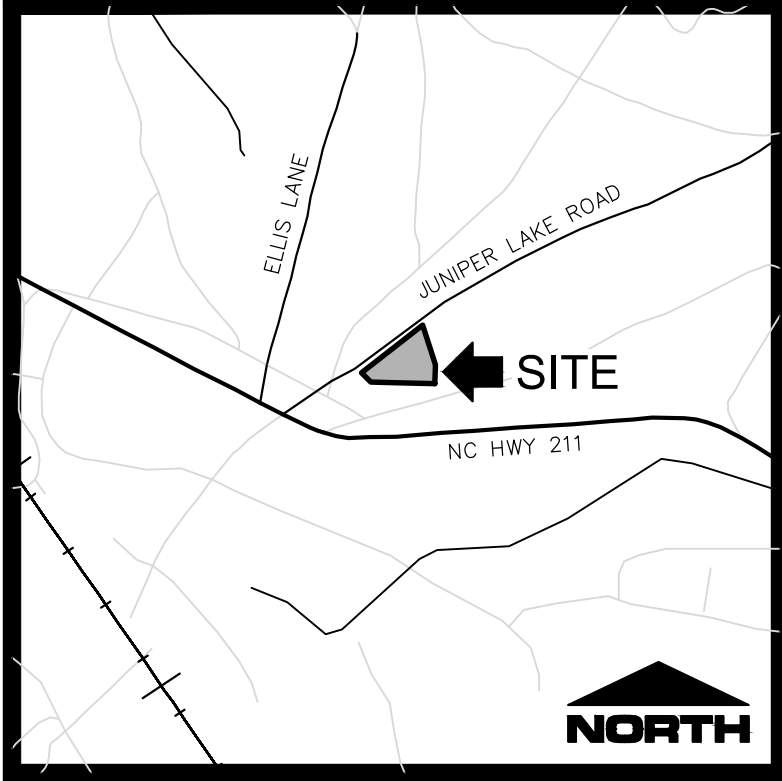
JANUARY 7, 2016

SHEET NUMBER

C-3.1



THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 48 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED

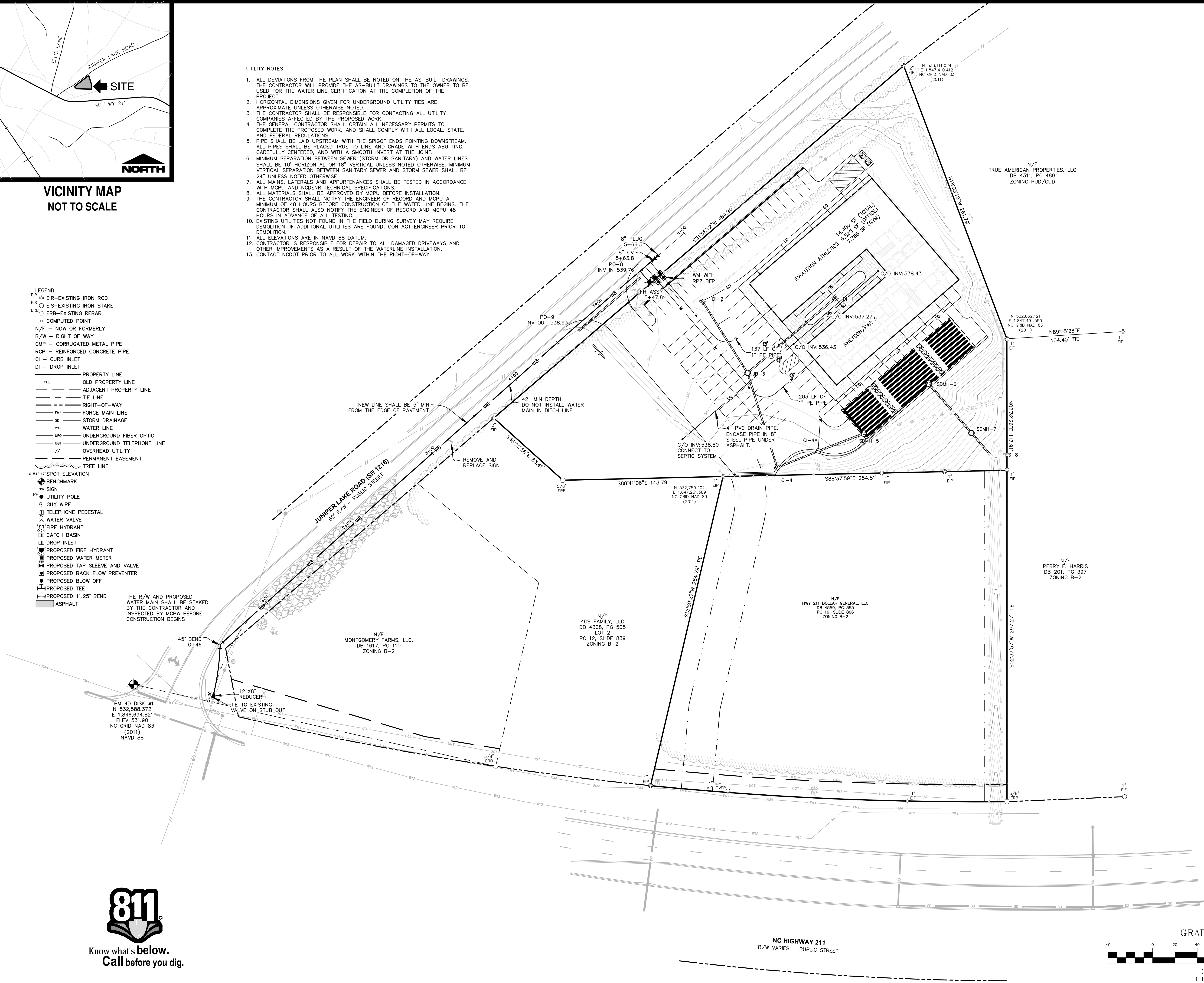


VICINITY MAP
NOT TO SCALE

- LEGEND:
- EIR - EXISTING IRON ROD
 - EIS - EXISTING IRON STAKE
 - ERB - EXISTING REBAR
 - CP - COMPLETED POINT
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 - RIGHT-OF-WAY
 - FORCE MAIN LINE
 - STORM DRAINAGE
 - WATER LINE
 - UNDERGROUND FIBER OPTIC
 - UNDERGROUND TELEPHONE LINE
 - OVERHEAD UTILITY
 - PERMANENT EASEMENT
 - TREE LINE
 - X 542.47' SPOT ELEVATION
 - BENCHMARK
 - SIGN
 - UTILITY POLE
 - GUY WIRE
 - TELEPHONE PEDESTAL
 - WATER VALVE
 - FIRE HYDRANT
 - CATCH BASIN
 - DROP INLET
 - PROPOSED FIRE HYDRANT
 - PROPOSED WATER METER
 - PROPOSED TAP SLEEVE AND VALVE
 - PROPOSED BACK FLOW PREVENTER
 - PROPOSED BLOW OFF
 - PROPOSED TEE
 - PROPOSED 11.25' BEND
 - ASPHALT
- THE R/W AND PROPOSED WATER MAIN SHALL BE STAKED BY THE CONTRACTOR AND INSPECTED BY MCPW BEFORE CONSTRUCTION BEGINS

UTILITY NOTES

- ALL DEVIATIONS FROM THE PLAN SHALL BE NOTED ON THE AS-BUILT DRAWINGS. THE CONTRACTOR WILL PROVIDE THE AS-BUILT DRAWINGS TO THE OWNER TO BE USED FOR THE WATER LINE CERTIFICATION AT THE COMPLETION OF THE PROJECT.
- HORIZONTAL DIMENSIONS GIVEN FOR UNDERGROUND UTILITY TIES ARE APPROXIMATE UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AFFECTED BY THE PROPOSED WORK.
- THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS TO COMPLETE THE PROPOSED WORK, AND SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS.
- PIPE SHALL BE LAID UPSTREAM WITH THE SPIGOT ENDS POINTING DOWNSTREAM. ALL PIPES SHALL BE PLACED TRUE TO LINE AND GRADE WITH ENDS ABUTTING, CAREFULLY CENTERED, AND WITH A SMOOTH INVERT AT THE JOINT.
- MINIMUM SEPARATION BETWEEN SEWER (STORM OR SANITARY) AND WATER LINES SHALL BE 10' HORIZONTAL OR 18" VERTICAL UNLESS NOTED OTHERWISE. MINIMUM VERTICAL SEPARATION BETWEEN SANITARY SEWER AND STORM SEWER SHALL BE 24" UNLESS NOTED OTHERWISE.
- ALL MAINS, LATERALS AND APPURTENANCES SHALL BE TESTED IN ACCORDANCE WITH MCPW AND NCDENR TECHNICAL SPECIFICATIONS.
- ALL MATERIALS SHALL BE APPROVED BY MCPW BEFORE INSTALLATION.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD AND MCPW A MINIMUM OF 48 HOURS BEFORE CONSTRUCTION OF THE WATER LINE BEGINS. THE CONTRACTOR SHALL ALSO NOTIFY THE ENGINEER OF RECORD AND MCPW 48 HOURS IN ADVANCE OF ALL TESTING.
- EXISTING UTILITIES NOT FOUND IN THE FIELD DURING SURVEY MAY REQUIRE DEMOLITION. IF ADDITIONAL UTILITIES ARE FOUND, CONTACT ENGINEER PRIOR TO DEMOLITION.
- ALL ELEVATIONS ARE IN NAVD 88 DATUM.
- CONTRACTOR IS RESPONSIBLE FOR REPAIR TO ALL DAMAGED DRIVEWAYS AND OTHER IMPROVEMENTS AS A RESULT OF THE WATERLINE INSTALLATION.
- CONTACT NCDOT PRIOR TO ALL WORK WITHIN THE RIGHT-OF-WAY.



Know what's below.
Call before you dig.

THE CONTRACTOR MUST CONTACT NORTH CAROLINA ONE CALL CENTER AT 1-800-632-4949 A MINIMUM OF 48 HOURS PRIOR TO DIGGING IN ORDER TO HAVE THE EXISTING UTILITIES LOCATED

REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

**WEST END
OFFICE &
TRAINING
FACILITY**

UTILITY PLAN

PIN# 854315723807

CLIENT

**CP6 INVESTMENTS,
LLC**

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CHRIS
DRAWN BY:	CHRIS
CHECKED BY:	SCOTT
PROJECT NUMBER:	1041

DRAWING SCALE

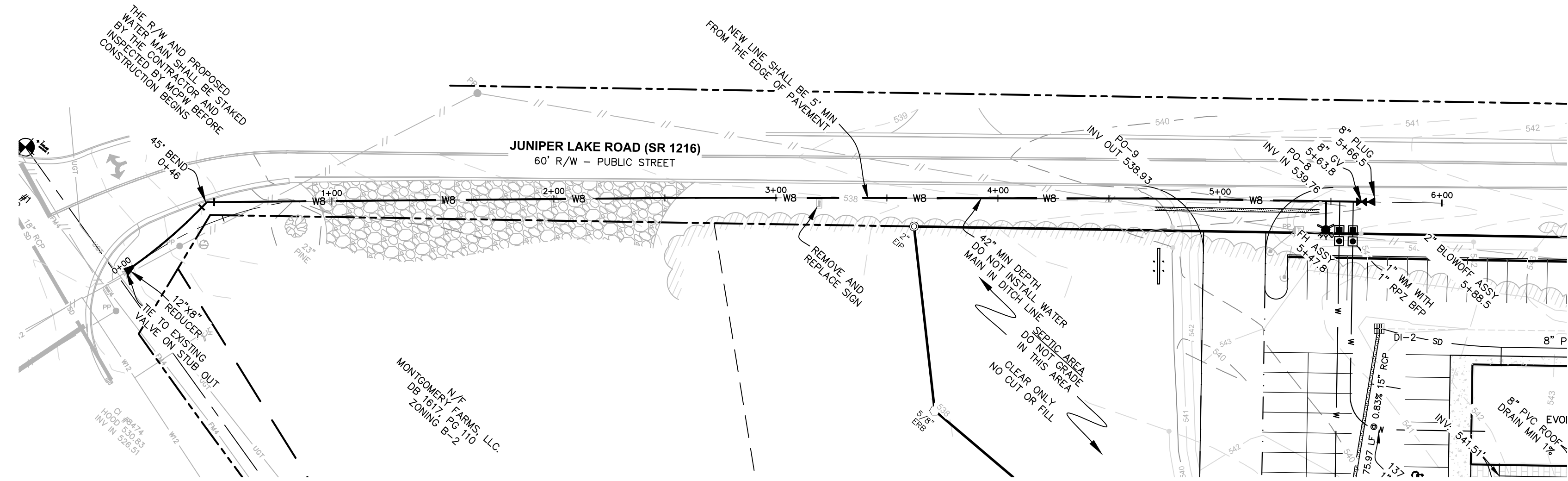
HORIZONTAL: 1"=40'

DATE RELEASED

JANUARY 7, 2016

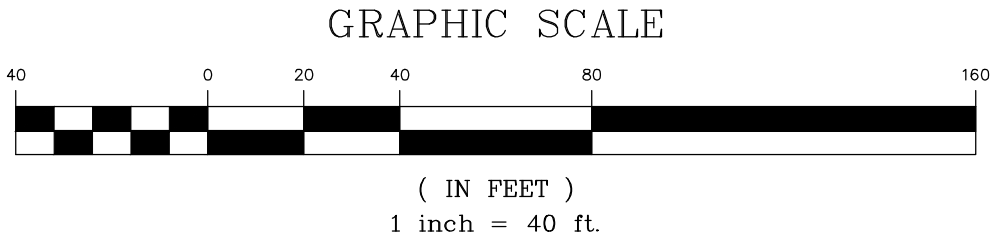
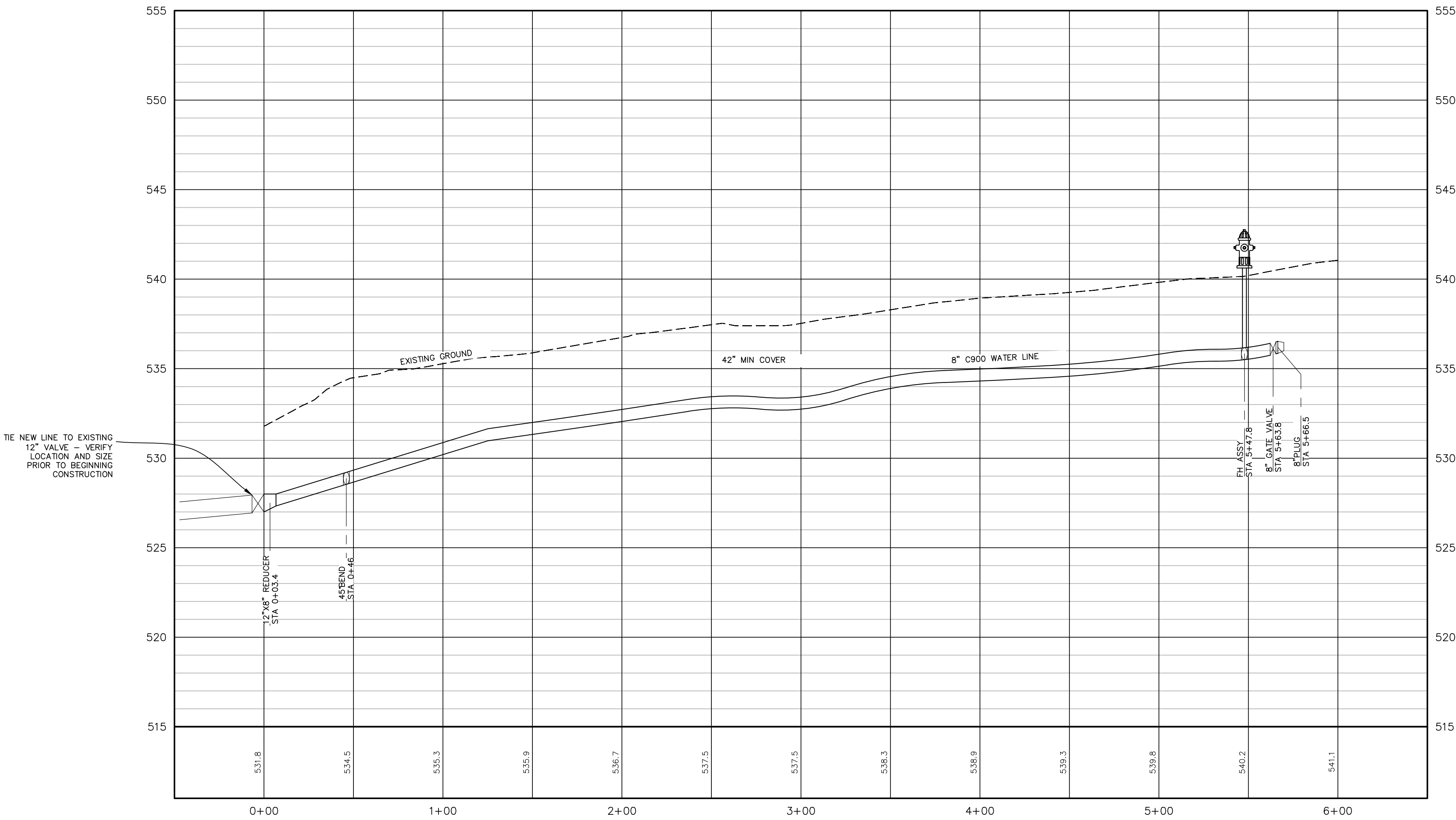
SHEET NUMBER

C-4.0



JUNIPER LAKE ROAD WATER

WATER MAIN -0+50 TO 6+50



REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

WEST END
OFFICE &
TRAINING
FACILITY

WATER
PROFILE

CLIENT

CP6 INVESTMENTS,
LLC

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	CHRIS
DRAWN BY:	CHRIS
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PROJECT NUMBER:	1041

DRAWING SCALE

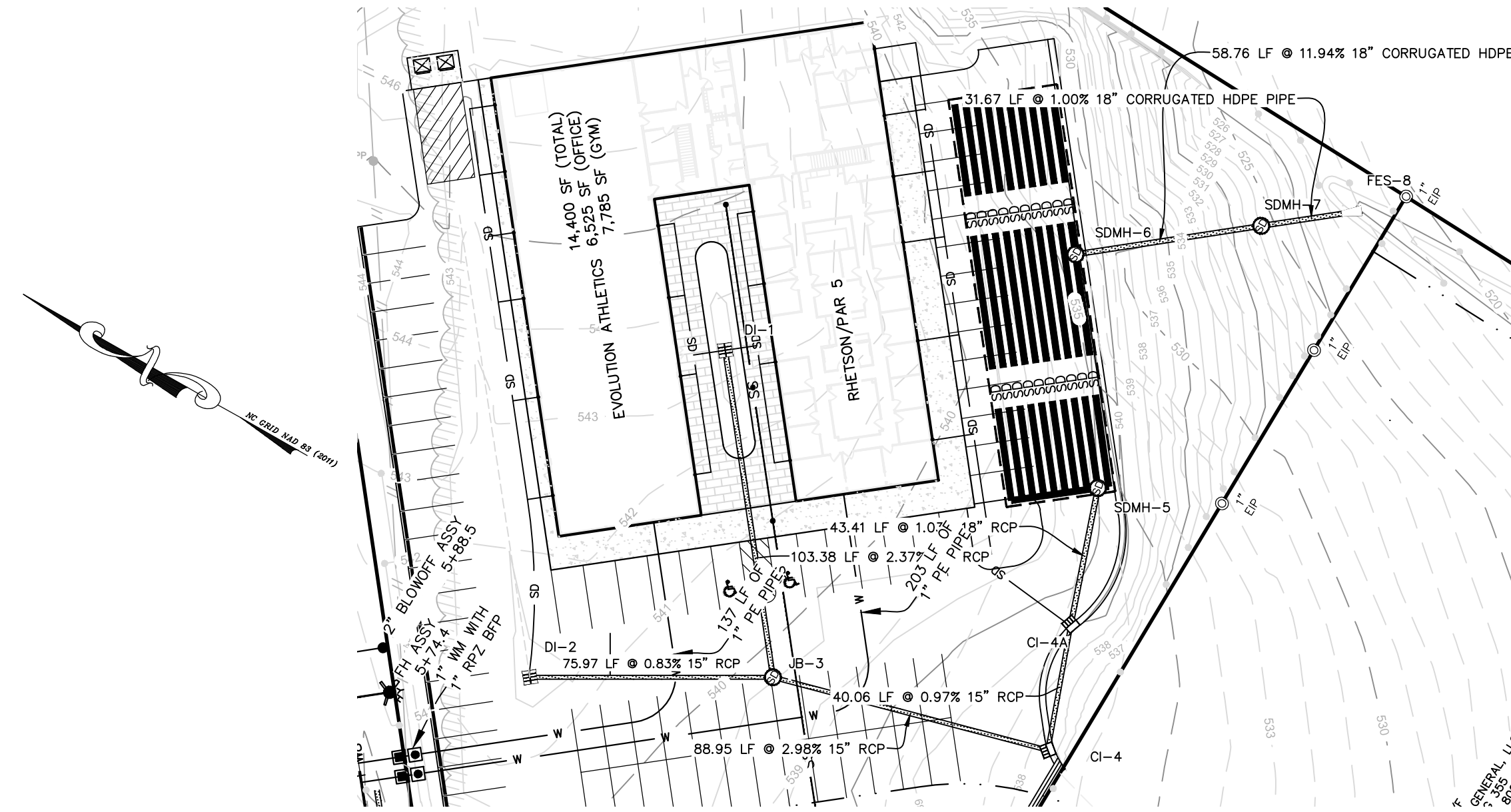
HORIZONTAL: 1"=40'
VERTICAL: 1"=4'

DATE RELEASED

DECEMBER 21, 2015

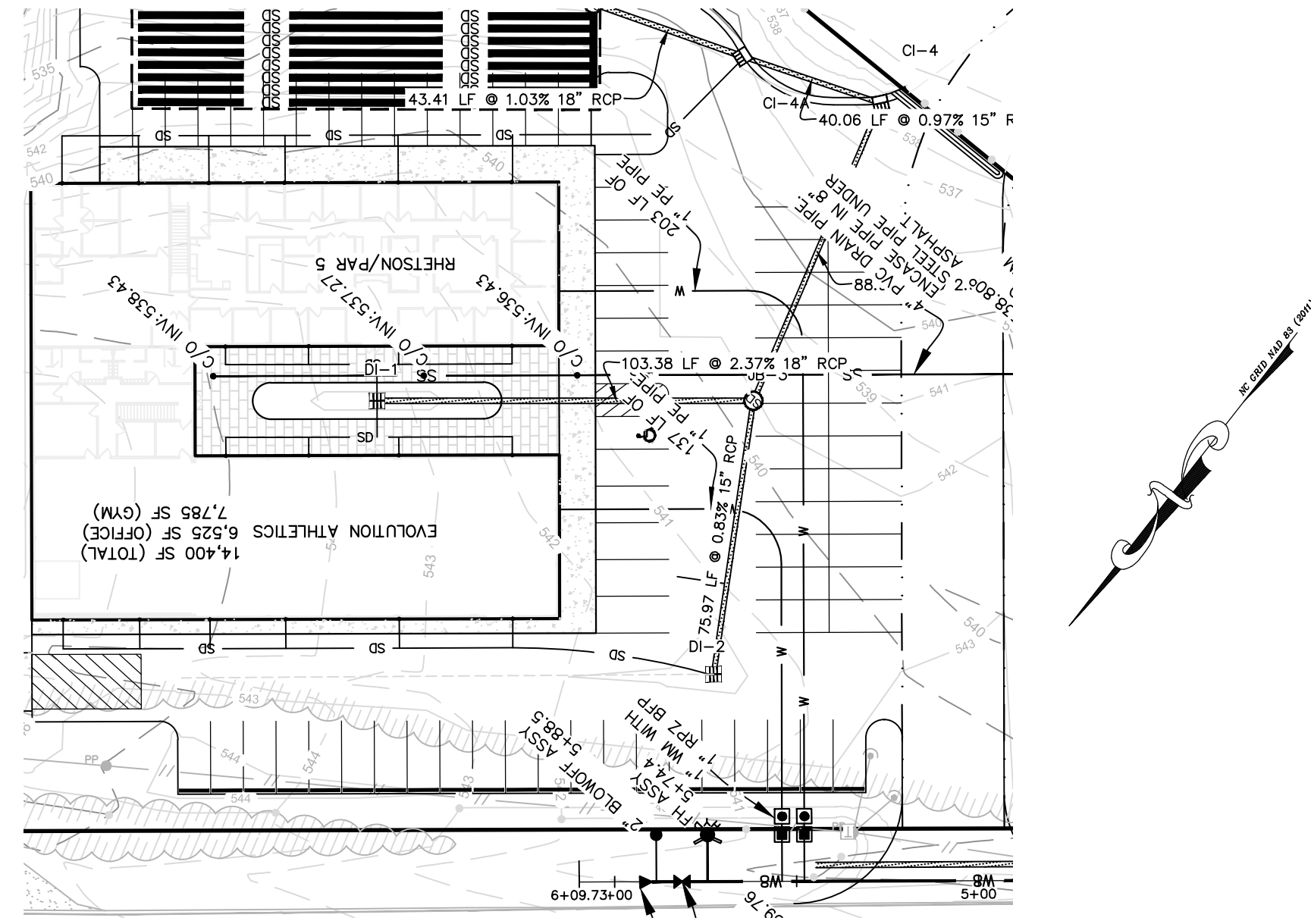
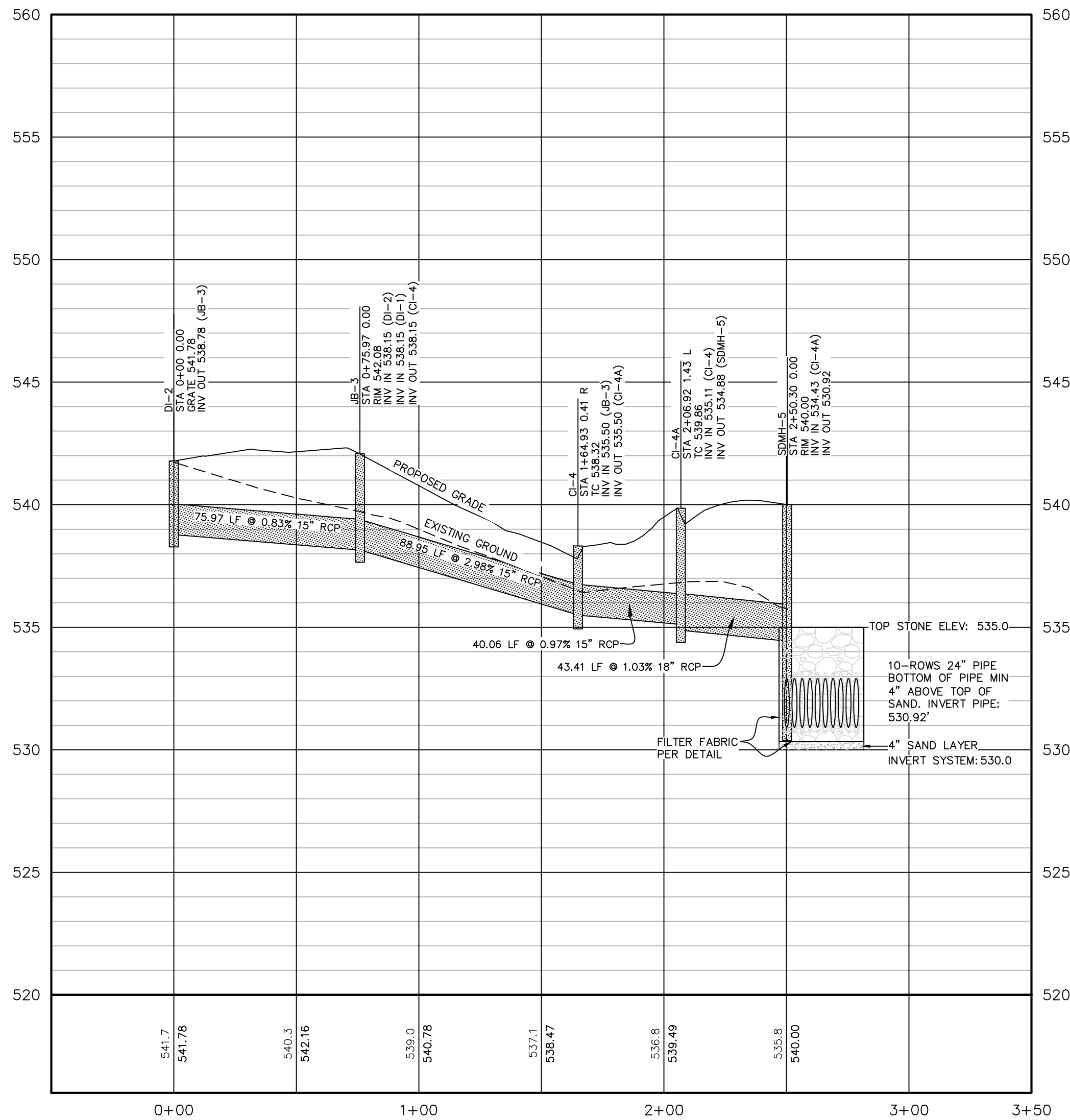
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C-5.0



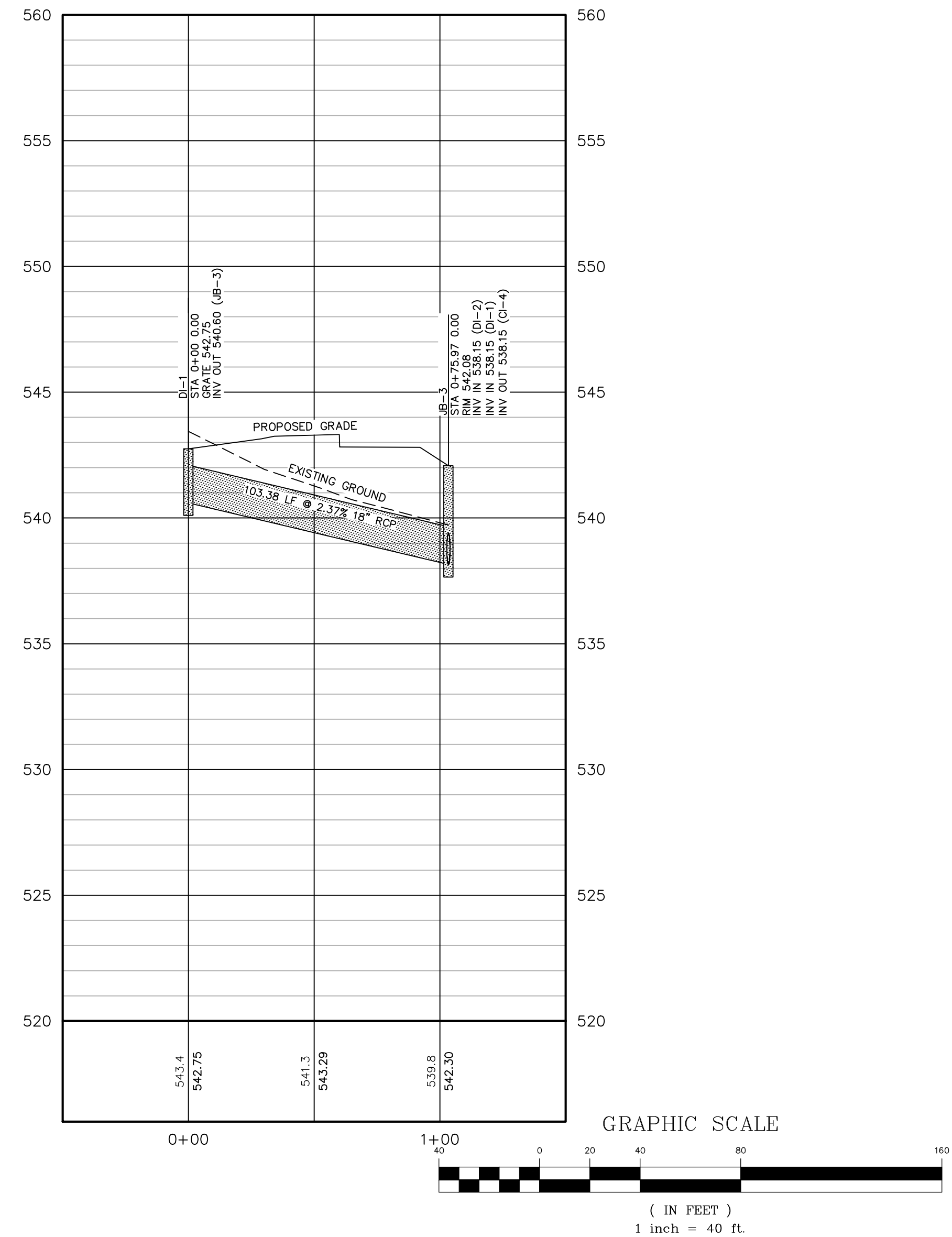
DI-2 TO SDM5-5

STORM DRAIN -0+50 TO 3+50



DI-1 TO JB-3

STORM DRAIN -0+50 TO 1+50



REVISIONS

FINAL DRAWING
FOR REVIEW PURPOSES ONLY

PROJECT NAME

WEST END
OFFICE &
TRAINING
FACILITY

STORM
PROFILES

CLIENT

CP6 INVESTMENTS,
LLC

2860-B NC Highway 5
Aberdeen, North Carolina 28315
Phone: (910) 944-0881

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CHECKED BY:	SCOTT
PROJECT NUMBER:	1041

DRAWING SCALE

HORIZONTAL: 1"=40'
VERTICAL: 1"=4'

DATE RELEASED

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SHEET NUMBER

C-5.1

REVISIONS

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STORM
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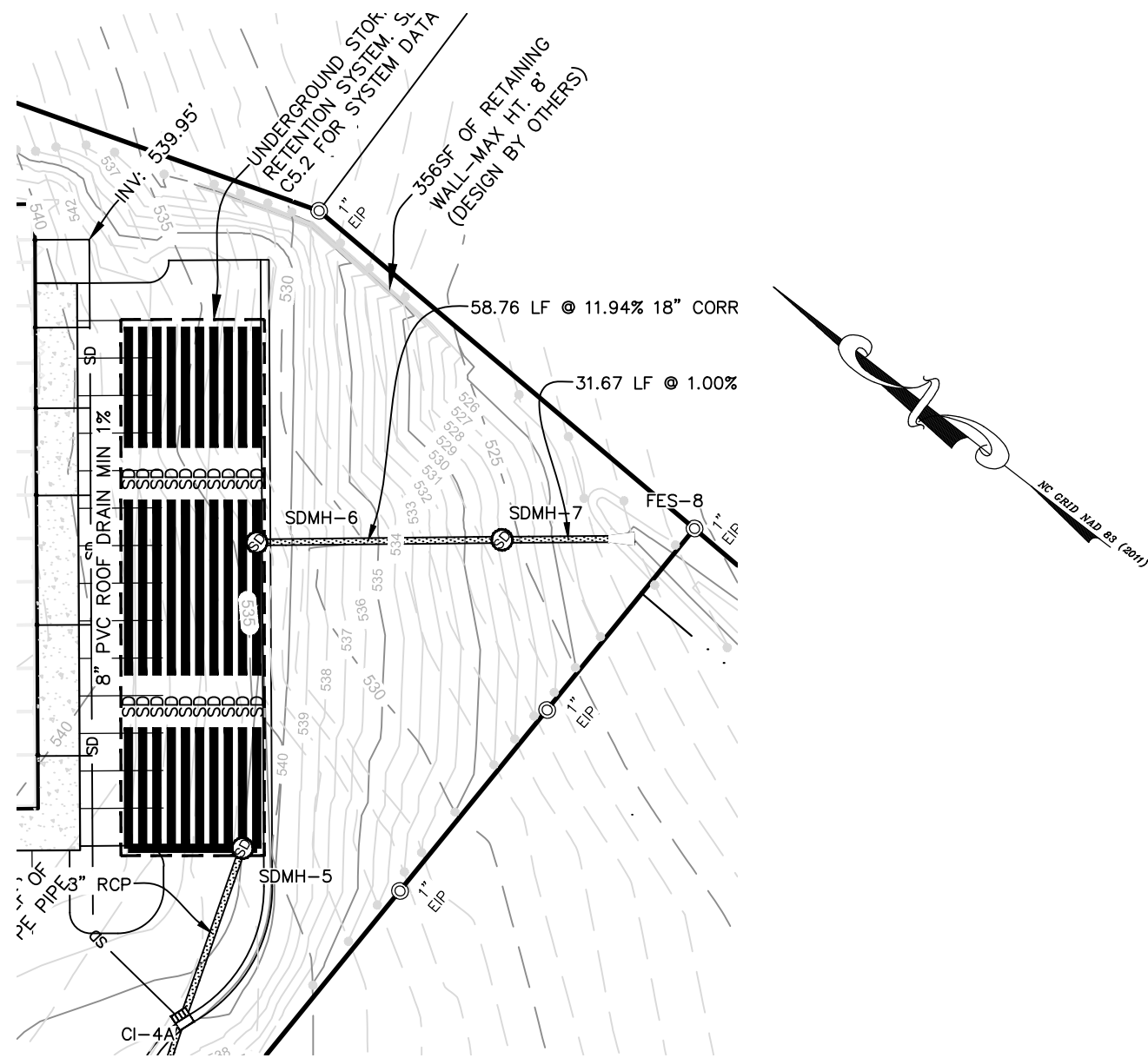
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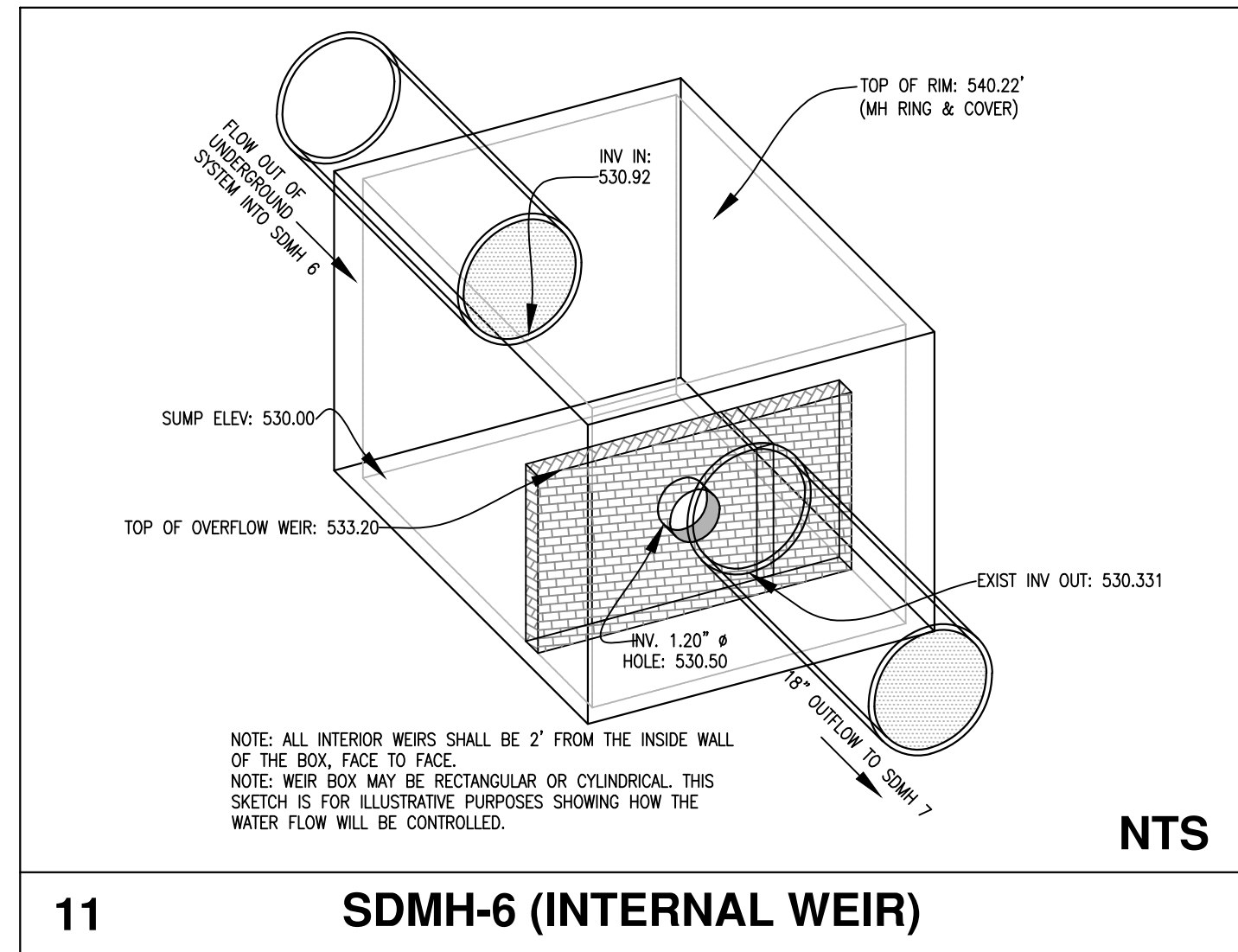
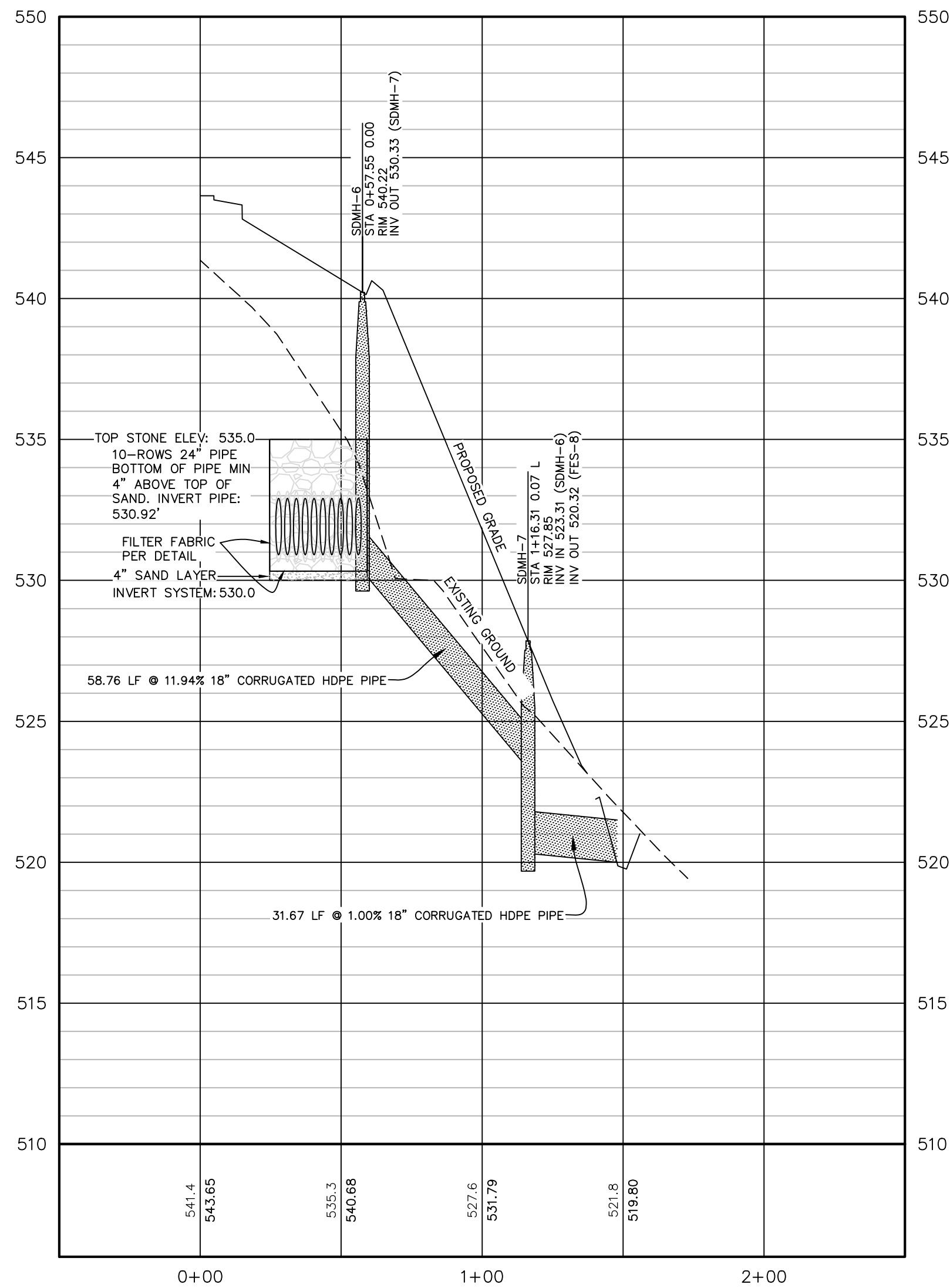
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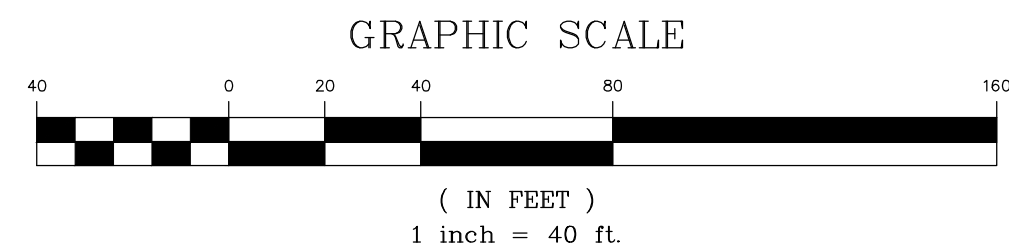



SDMH-6 TO PO-7


STORM DRAIN -0+50 TO 2+50





11 SDMH-6 (INTERNAL WEIR)





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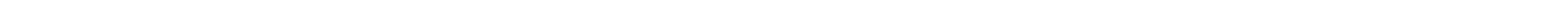
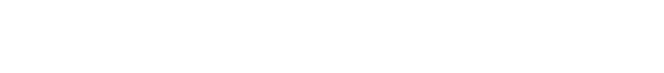
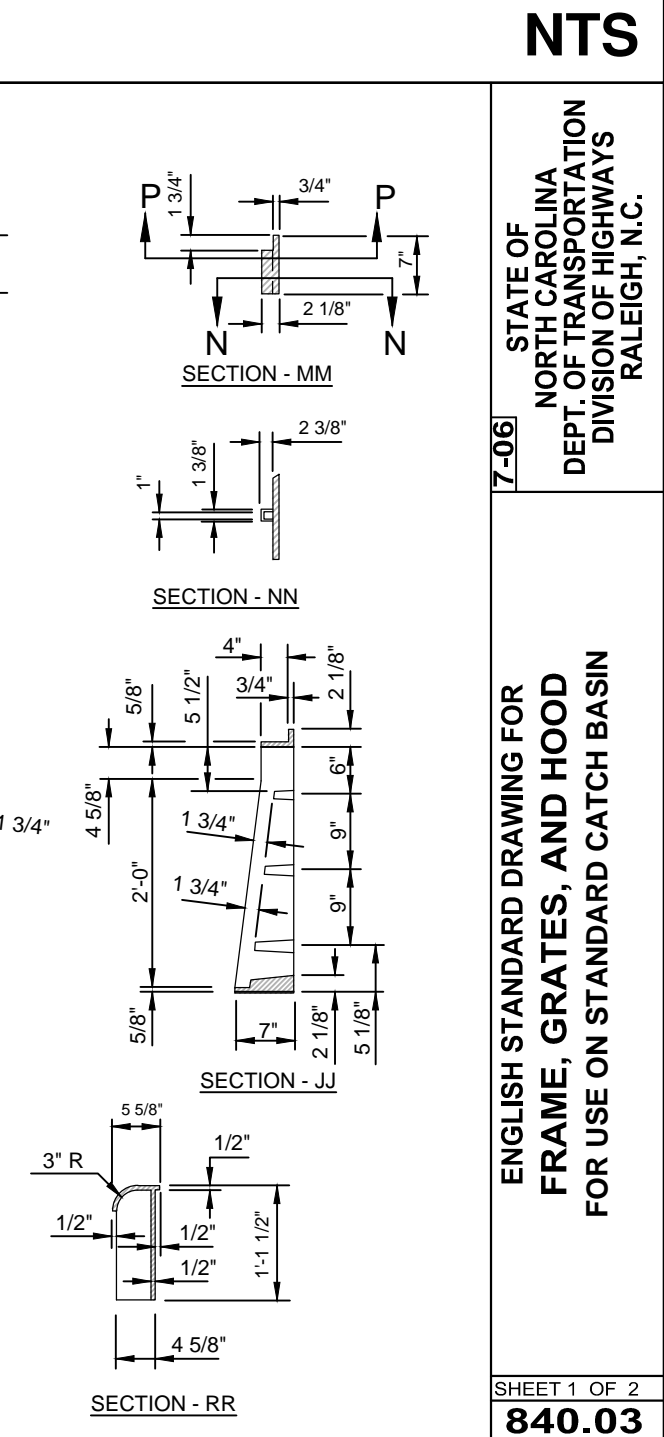
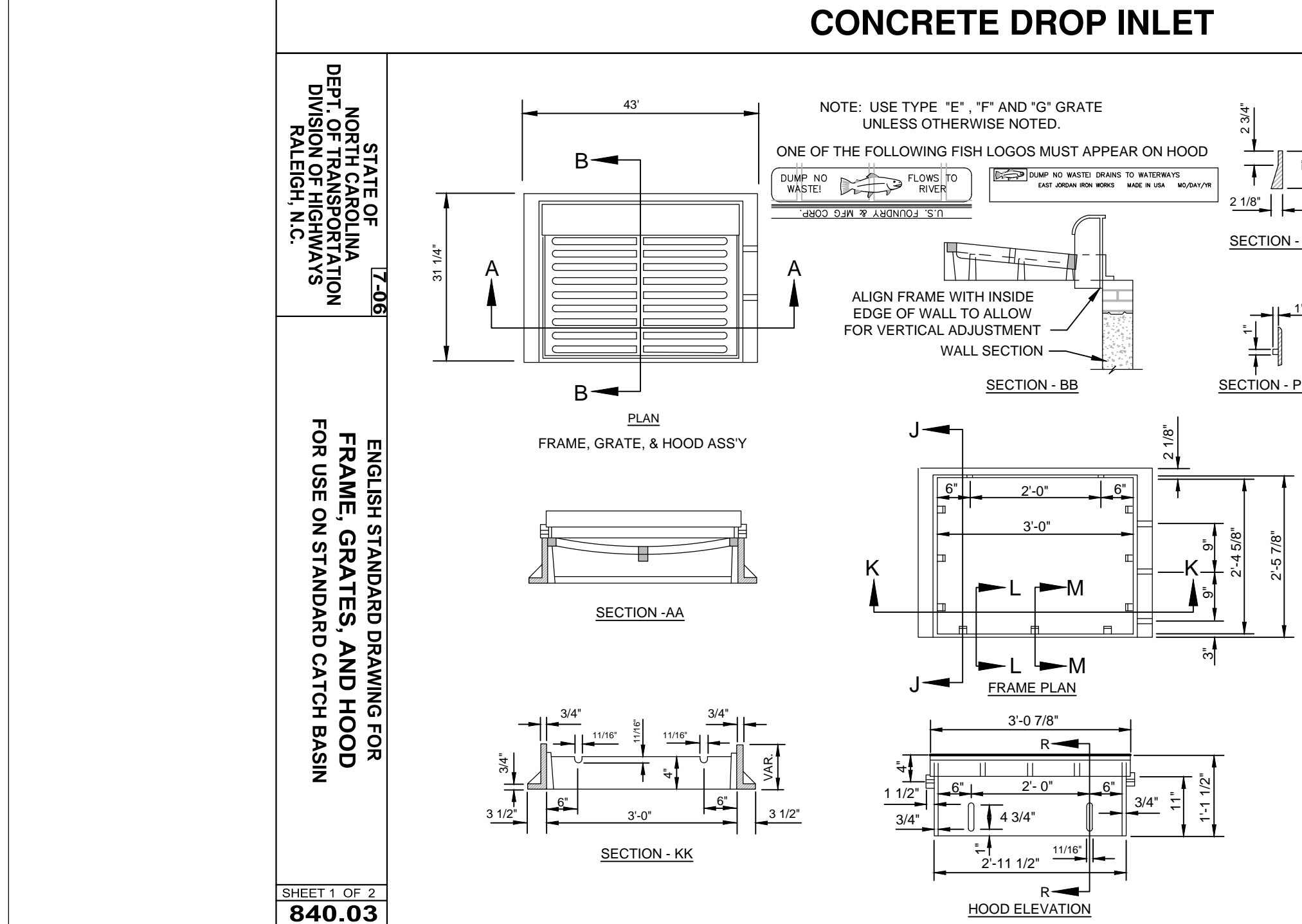
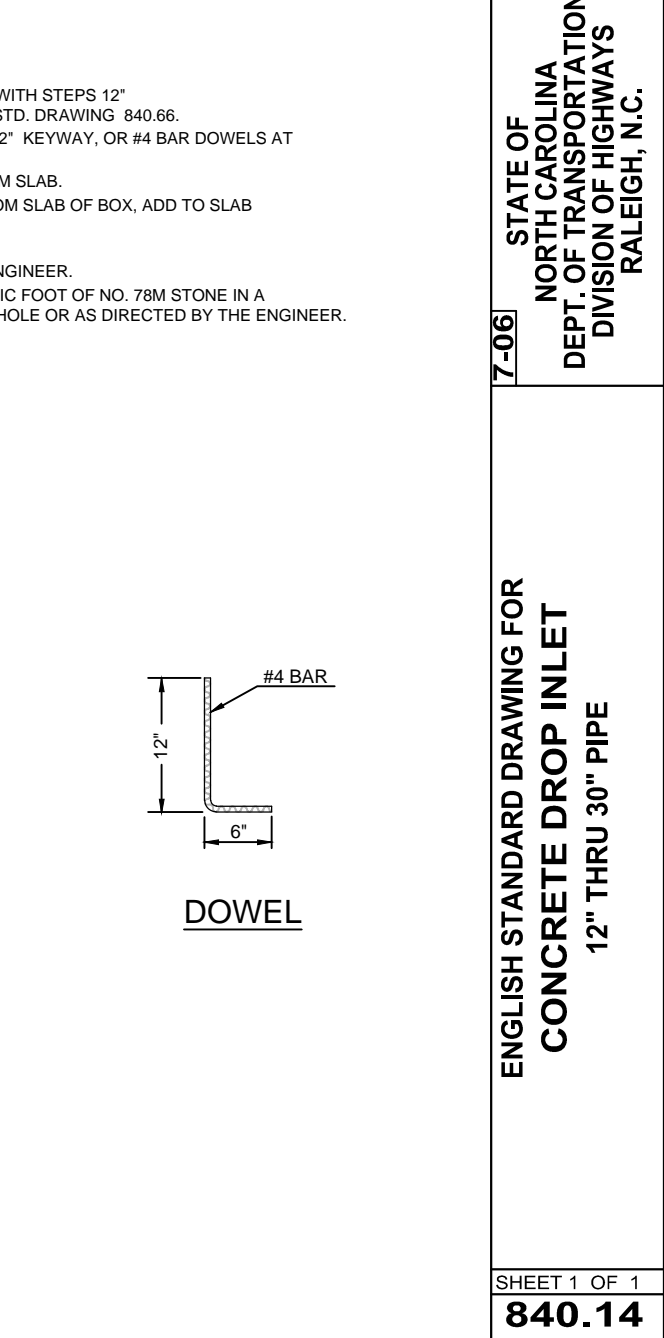
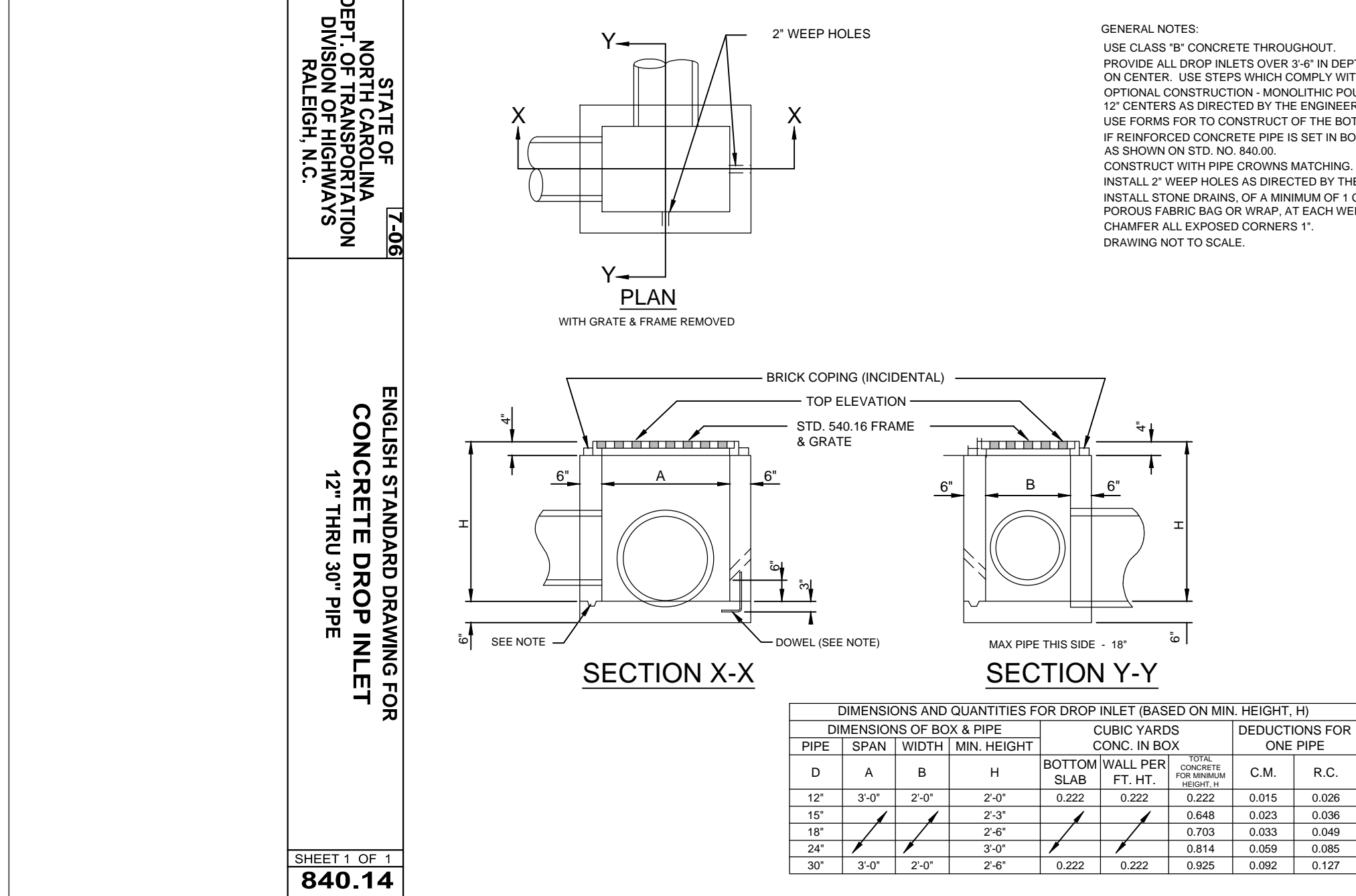
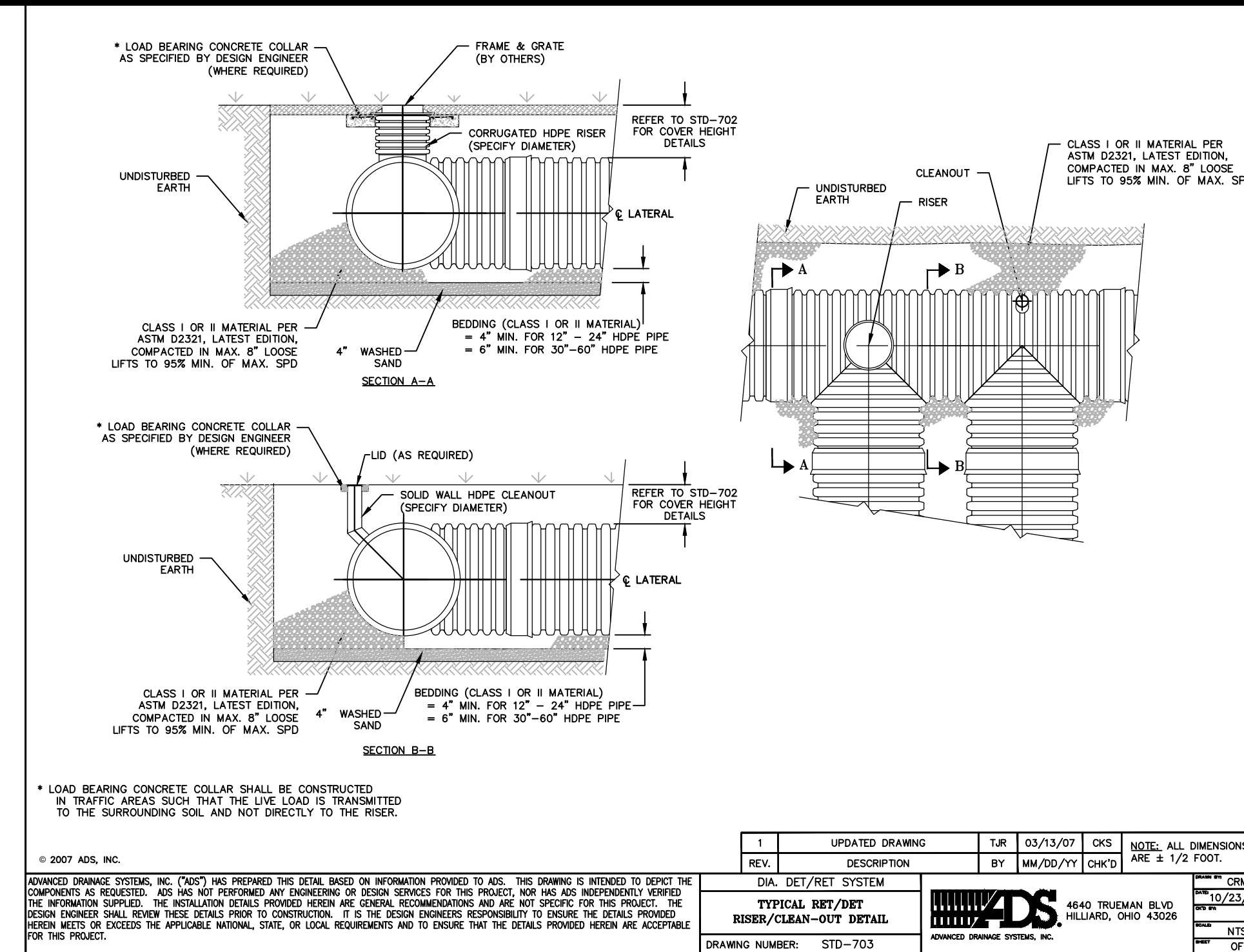
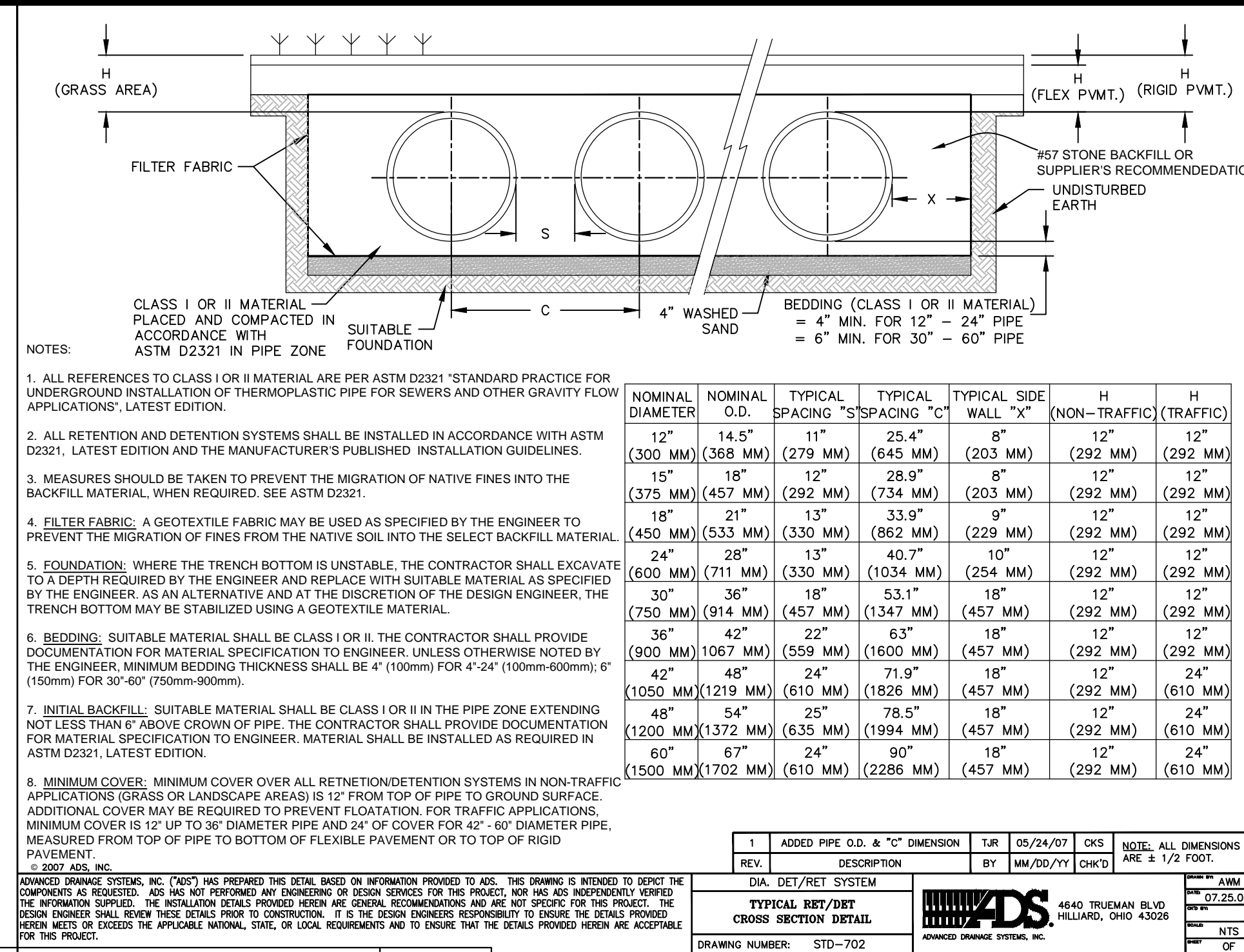
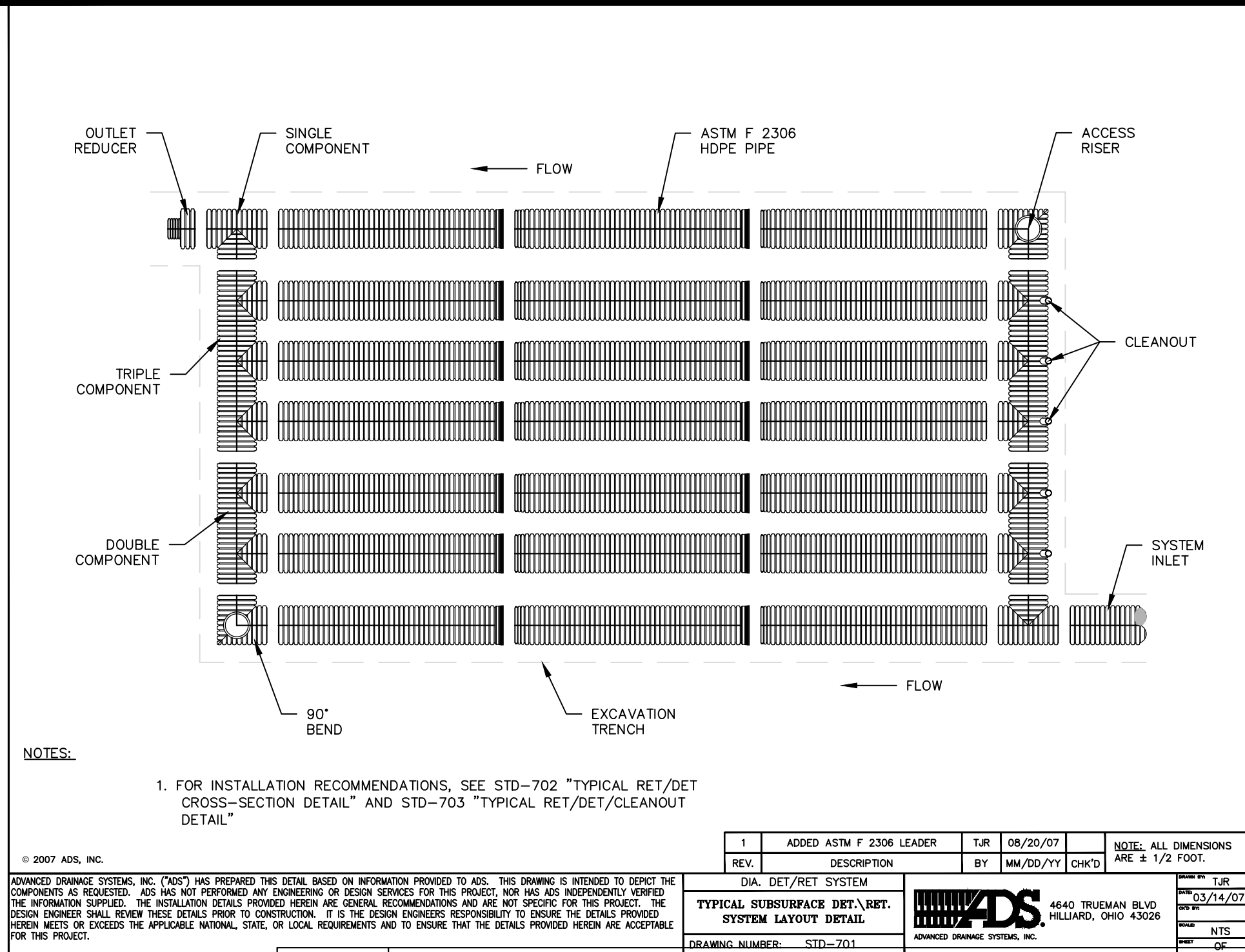
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FINAL DRAWING
FOR REVIEW PURPOSES ONLY



Agenda Item: _____
Meeting Date: February 4, 2016

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Services Director

DATE: January 28, 2016

SUBJECT: UDO Text Amendment Review

PRESENTER: Theresa Thompson

Staff is pursuing amendments to the Unified Development Ordinance at the discretion of the Moore County Planning Board and Board of Commissioners. The following chapters are included for review:

Article 12. Flood Damage Prevention
Article 17. Manufactured Home Parks
Article 18. Planned Unit Developments

ARTICLE 12

FLOOD DAMAGE PREVENTION

SECTION 12.1 APPLICABILITY

In accordance with NCGS Chapter 143, Article 21 and Chapter 153A, Articles 6 and 18, the State of North Carolina has delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. The flood prone areas within the jurisdiction of Moore County are subject to periodic inundation which results in the disruption of public services, property damage and possible human injuries or fatalities. The cumulative effect of development, flood heights and velocities adversely affect the public health, safety and general welfare. The purpose of this article is to restrict and prohibit any development in flood prone areas in order to minimize public and private losses. This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction, including extra-territorial jurisdictions (ETJs) if applicable, of the County of Moore and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

SECTION 12.2 BASIS FOR ESTABLISHING SPECIAL FLOOD HAZARDS AREAS

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Maps (FIRM), for Moore County dated October 17, 2006, which are adopted by reference and declared to be a part of this ordinance.

SECTION 12.3 GENERAL DEVELOPMENT STANDARDS

In all Special Flood Hazard Areas the following provisions are required.

- A. All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse and lateral movement of the structure.
- B. All new construction and substantial improvements shall be constructed with materials, methods and utility equipment resistant to and minimize flood damage.
- C. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, appliances, and electric outlets/switches.
- D. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- E. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the flood waters.
- F. Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within a floodway, non encroachment area or stream setback, provided there is no additional encroachment below the regulatory flood protection elevation in the floodway, non encroachment area, or stream setback, and provided that such repair, reconstruction or replacement meets all of the other requirements of this ordinance.

- G. New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, chemical storage facilities or critical facilities shall not be permitted except by variance as specified in Section 12.23 (Floodplain Variance).
- H. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified according to Section 12.21.1 of this ordinance (Floodproofing Certificate).
- I. All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage, including the location of public utilities and facilities.
- J. All development proposals shall have adequate drainage to reduce exposure to flood hazards.
- K. All subdivision and development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

SECTION 12.4 BASE FLOOD ELEVATION (BFE) DETERMINATION

The BFE used in determining the regulatory flood protection elevation shall be determined by a sealed Elevation Certificate from a license land surveyor and/or other federal, state or local sources.

- 12.4.1 When BFE has been determined, all new construction and substantial improvements shall be elevated to the determined regulatory flood protection elevation.
- 12.4.2 When BFE data is not available (Approximate Zone A), the reference level shall be elevated to or above the regulatory Flood protection elevation as defined in Article 18 (Definitions and Word Interpretations).
- 12.4.3 All subdivision, manufactured home parks and other development proposals shall provide Base Flood Elevation data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such BFE data shall be adopted by reference per Section 12.2 (Basis for Establishing Special Flood Hazard Areas) to be utilized in implementing this ordinance.
- 12.4.4 When BFE is not available, no encroachments, including fill, new construction, substantial Improvements or new development shall be permitted within a distance of twenty (20) feet from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase flood levels during the occurrence of the base flood discharge.

SECTION 12.5 STANDARDS FOR FLOODWAYS AND NON-ENROACHMENT AREAS

Areas designated as floodways and non-encroachment areas are located within the Special Flood Hazard Areas established in Section 12.2 (Basis for Establishing Special Flood Hazard Areas). The floodways and non-encroachment areas are extremely hazardous due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. This includes areas along rivers and streams where BFE information is provided but there has been no floodway or non-encroachment area designation. In addition to standards outlined in Section 12.3 (General Development Standards) and Section 12.4 (Base Flood Elevation Determination), the following shall apply to all development in such areas.

- 12.5.1 Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted Unless certification with supporting technical data by a registered professional engineer is Provided demonstrating that the cumulative effect of the proposed development, when Combined with all other existing and anticipated development, will not increase the water Surface elevation of the base flood more than one (1) foot at any point within the community.
- 12.5.2 Once a floodway or non-encroachment area has been designated, no encroachments, including Fill, new construction, substantial improvements and other developments shall be permitted Unless:
- A. It is demonstrated that the proposed encroachment would not result in any increase In the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit or,
 - B. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.
 - C. If these standards satisfied, all development shall comply with the applicable flood hazard reduction provisions of this ordinance.

SECTION 12.6 STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO)

These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not occur and where the path of flooding is unpredictable and indeterminate.

- 12.6.1 The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Map(FIRM), in feet, plus a freeboard of three (3) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade plus a freeboard of one (1) foot if no depth number is specified.
- 12.6.2 Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Section 12.8 so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and its effects of buoyancy. Certification is required as per Section 12.20 (Additional Certificate Requirements)
- 12.6.3 Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

SECTION 12.7 RESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any residential structure shall have the reference level, including basement, elevated at no lower than the regulatory flood protection elevation, as defined in Article 18 of this ordinance.

SECTION 12.8 NON-RESIDENTIAL CONSTRUCTION

- 12.8.1 New construction and substantial improvement of any commercial, industrial or other non-residential structure shall have the reference level, including basement, no lower than the regulatory flood protection elevation as defined in Article 18 of this ordinance.

- 12.8.2 Structures located in A, AE, and A1-30 Zones may be floodproofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the regulatory flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.
- 12.8.3 For AO Zones, the floodproofing elevation shall be in accordance with Section 12.21.1 of this ordinance. Soil testing and compaction standards of the International Building Code shall be met. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Zoning Administer as set forth in Section 12.19 (Elevation Certificates) and 12.21 (Additional Certificate Requirements), along with the operational and maintenance plans.

SECTION 12.9 MANUFACTURED HOMES

Manufactured homes may only be replaced within a Special Flood Hazard Area. No new placement of manufactured homes shall occur within the Special Flood Hazard Area or within an area bounded by flood of record, except by variance. Replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in Article 18 (Definitions and Word Interpretations) of this Ordinance.

- 12.9.1 Manufactured homes shall be securely anchored to an adequately anchored foundation to resist Flotation, collapse, and lateral movement, either by engineer certification, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation is met by an elevation of the chassis thirty-six (36) inches or less above the grade at site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
- 12.9.2 All enclosures or skirting below the lowest floor shall meet the requirements of Section 12.10 (Elevated Buildings)
- 12.9.3 An evacuation plan must be developed for evacuation of all residents of all new, substantially Improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with an approved by the floodplain administrator and the local Emergency Management coordinator.

SECTION 12.10 ELEVATED BUILDINGS

Fully enclosed area, of new and substantially improved structures, which is below the lowest floor:

- A. Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the area shall be the minimum necessary for storage and entry to the living area.
- B. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas.
- C. Shall be constructed entirely of flood resistant materials below the regulatory flood protection elevation.

- D. Shall include, in Zones A, AO, AE and A1-30, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters designed in accordance with Section 12.20 (Flood Opening Design Standards) of this ordinance.

SECTION 12.11 ADDITIONS AND IMPROVEMENTS TO PRE-FIRM STRUCTURES

Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:

- 12.11.1 Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
- 12.11.2 A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards of new construction.
- 12.11.3 Where an independent perimeter load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and only the addition must comply with the standards for new construction.

SECTION 12.12 ADDITIONS AND IMPROVEMENTS TO POST-FIRM STRUCTURES

- 12.12.1 Additions to post-FIRM structures with no modifications to the existing structure other than a Standard door in the common wall shall require only the addition to comply with the standards for new construction.
- 12.12.2 For additions and/or improvements to post-FIRM structures that are not considered a substantial improvement, only the addition and/or improvements must comply with the standards for new construction.
- 12.12.3 For additions and/or improvements for post-FIRM structures that are considered a substantial improvement, the existing structure and the additions and/or improvements must comply with the standards for new construction.
- 12.12.4 Where an independent perimeter load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and only the addition must comply with the standards for new construction.

SECTION 12.13 RECREATIONAL VEHICLES (RV's)

Recreational vehicles shall be on site for fewer than 180 consecutive days and be fully licensed and ready for Highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by a quick disconnect type utilities, and has no permanently attached additions).

SECTION 12.14 TEMPORARY NON-RESIDENTIAL STRUCTURES

Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the floodplain administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the floodplain administrator for review and written approval:

- A. A specified time period for which the temporary use will be permitted. Time specified may not exceed three months, renewable up to one year;
- B. The name, address and phone number of the individual responsible for the removal of the temporary structure;

- C. The time frame prior to the event at which a structure will be removed (i.e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification;
- D. A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure, and;
- E. Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.

SECTION 12.15 ACCESSORY STRUCTURES

When accessory structures (sheds, detached garages, etc) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

- A. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas;
- B. Accessory structure shall not be temperature controlled;
- C. Accessory structures shall be designed to have low flood damage potential;
- D. Accessory structures shall be constructed and placed on the building site so as to offer The minimum resistance to the flow of floodwaters;
- E. Accessory structures shall be firmly anchored and all service facilities such as electrical shall be installed in accordance with Section 12.2 (General Development Standards) and
- F. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with Section 12.20 (Flood Opening Design Standards).
- G. An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined above does not require an elevation or floodproofing certificate. Elevation or floodproofing certifications are required for all other accessory structures in accordance with Section 12.21 (Additional Certificate Requirements).

SECTION 12.16 FLOODPLAIN DEVELOPMENT PERMIT APPLICABILITY

- 12.16.1 A Floodplain Development Permit shall be required in conformance with the provisions of this section prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Section 12.2 (Basis for Establishing Special Flood Hazard Areas) of this ordinance.
- 12.16.2 No structure of land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this section and other applicable regulations.

SECTION 12.17 APPLICATION REQUIREMENTS

An application for a Floodplain Development permit shall be submitted in accordance with Article 9 (Zoning and Sign Permits).

- 12.17.1 A plot plan drawn to scale which shall include, but shall not be limited to, the following specific Details of the proposed floodplain development:

- A. The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 - B. The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section 12.2 of this ordinance, or a statement that the entire lot is within the Special Flood Hazard Area;
 - C. Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section 12.2 of this ordinance.
 - D. The boundary of the floodway(s) or non-encroachment area(s) as determined in Section 12.2;
 - E. The Base Flood Elevation (BFE) where available;
 - F. The old and new location of any watercourse that will be altered or relocated as a result of proposed development;
 - G. Certification of the plot plan by a registered land surveyor or professional engineer.
- 12.17.2 Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
- A. Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
 - B. Elevation in relation to mean sea level to which any non-residential structure in Zone AE, A or AO will be flood proofed; and
 - C. Elevation in relation to mean sea level to which any proposed utility systems will be elevated or floodproofed.
- 12.17.3 If floodproofing, a Floodproofing Certificate (FEMA Form 81-65) with supporting data and an operational plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures.
- 12.17.4 A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
- A. The proposed method of elevation, if applicable (i.e. fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls);
 - B. Openings to facilitate equalization of hydrostatic flood forces on walls in accordance with Section 12.20 (Flood Opening Design Standards), when solid foundation perimeter walls are used in Zones A, AO, AE and A1-30;
- 12.17.5 Usage details of any enclosed areas below the regulatory flood protection elevation;
- 12.17.6 Plans and/or details for the protection of public utilities and facilities such as sewer/gas/electrical, and water systems to be located and constructed to minimize flood damage;
- 12.17.7 Copies of all other Local, State, and Federal permits required prior to floodplain development permit issuance (Wetlands, Endangered Species, Erosion and Sedimentation Control, Riparian Buffers, Mining, etc.)

12.17.8 Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure Section 12.13 (Recreational Vehicles), and Section 12.14 (Temporary Non-Residential Structures) and Section 12.15 (Accessory Structures) of this ordinance are met.

12.17.9 A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

SECTION 12.18 PERMIT REQUIREMENTS

The Floodplain Development Permit shall include, but not be limited to:

- A. A description of the development to be permitted under the floodplain development permit.
- B. The Special Flood Hazard Area determination for the proposed development per available data specified in Section 12.2 (Basis for Establishing Special Flood Hazard Areas).
- C. The regulatory flood protection elevation required for the reference level and all attendant utilities.
- D. The regulatory flood protection elevation required for the protection of all public utilities.
- E. All certification submittal requirements with timelines.
- F. A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse, as applicable.
- G. The flood opening requirements, if the project is located in Zones A, AO, AE or A1-30.
- H. Limitations of below BFE enclosure uses (if applicable). (i.e. Parking, Building Access and Limited Storage only).

SECTION 12.19 ELEVATION CERTIFICATION REQUIREMENTS

12.19.1 An Elevation Certificate (FEMA Form 81-31) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in relation to mean sea level. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to beginning construction. Failure to submit the certification of failure to make the required corrections shall be cause to deny a floodplain development permit.

12.19.2 A final as-built Elevation Certificate (FEMA 81-31) is required after construction is completed and prior to the Certificate of Occupancy/Compliance. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to the Certificate of Occupancy/Compliance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification of failure to make required corrections shall be cause to withhold the issuance of a Certificate of Occupancy/Compliance.

12.19.3 If the Elevation Certificate is being used to obtain flood insurance through the NFIP, the certifier must provide at least two (2) photographs showing the front and rear of the building within (90) days from the date of certification. The photographs must be take view views confirming the building description and diagram number. If the building has split level or multi-level areas,

provide at least two additional photographs showing side views of the building. All photographs must be in color and measure at least 3"x 3". Digital photographs are acceptable.

SECTION 12.20 FLOOD OPENING DESIGN STANDARDS

Flood openings must be certified by a professional engineer or architect or meet or exceed the following design criteria.

- A. A minimum of two flood openings on different sides of each enclosed area subject to flooding;
- B. The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
- C. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
- D. The bottom of all required flood openings shall be no higher than one (1) foot above the adjacent grade;
- E. Flood openings may be equipped with screens, louvers or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
- F. Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

SECTION 12.21 ADDITIONAL CERTIFICATE REQUIREMENTS

- 12.21.1 **Floodproofing Certificate.** If non-residential floodproofing is used to meet the regulatory flood protection elevation requirements, a Floodproofing Certificate (FEMA 81-65), with supporting data and an operational plan, is required prior to the start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The floodplain administrator shall review the certificate data and plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the Certificate of Occupancy/Compliance.
- 12.21.2 **Engineered Foundation Certification.** If a manufactured home is placed within Zone A, AO, AE, or A1-30 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required per Section 12.2.4 (Manufactured Homes) of this ordinance.
- 12.21.3 **Watercourse Altering.** If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to the issuance of a floodplain development permit.

SECTION 12.22 CERTIFICATE EXEMPTIONS

The following structures, if located within Zone A, AO, AE or A1-30, are exempt from the elevation/floodproofing certification requirements specified in Section 3.5.5 (Elevation Certificate Requirements) and Section 3.5.601 (Floodproofing Certificate) of this ordinance.

- 12.22.1 Recreational Vehicles meeting requirements of Section 12.13 (Recreational Vehicles);
- 12.22.2 Temporary Structures meeting requirements of Section 12.14 (Temporary Non-Residential Structures) and;
- 12.22.3 Accessory Structures less than 150 square feet meeting requirements of Section 12.15 (Accessory Structures).

SECTION 12.23 FLOODPLAIN VARIANCE

The Board of Adjustment as established by the County of Moore, hereinafter referred to as the “appeal board,” shall hear and decide requests for variances from the requirements of this ordinance. Variances may be issued for:

- A. The repair or rehabilitation of historic structures upon determination that the proposed repair or rehabilitation will not reclude the structure’s continued designation as a historic structure and that variance is the minimum necessary to preserve the historic character and design of the structure.
- B. Functionally dependent facilities is determined to meet the definition as stated in Article 18 (Definitions and Word Interpretations) of this ordinance, provided provisions of Section 3.6.502, 3.6.503 and 3.6.505 of this ordinance have been satisfied, and such facilities are protected by methods that minimize flood damages.
- C. Any other type of development, provided is meets the requirements stated in this section.

12.23.1 Application Requirements

- A. An application for a variance from the Flood Damage Prevention provision of this UDO shall be submitted in accordance with Section 3.2 (Common Review Procedures).
- B. A written report, signed and sealed by a licensed engineer in the State of North Carolina, addressing each of the factors listed in Section 3.6.3 shall be submitted with the application for a variance.

12.23.2 Technical Evaluation, Factors and Standards

In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

- A. The danger that materials may be swept onto other lands to the injury of others;
- B. The danger to life and property due to flooding or erosion damage;
- C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- D. The importance of the service provided by the proposed facility to the community;

- E. The necessity to the facility of a waterfront location as defined under Article 18 (Definitions and Word Interpretations) of this ordinance as a functionally dependent facility, where applicable;
- F. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- G. The compatibility of the proposed use with existing and anticipated development;
- H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- I. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- K. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

SECTION 12.24 CRITERIA FOR APPROVAL

- 12.24.1 Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
- 12.24.2 Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
- 12.24.3 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 12.24.4 Variances shall only be issued prior to development permit approval.
- 12.24.5 Variances shall only be issued upon a showing of good and sufficient cause;
- 12.24.6 Variances shall only be issued upon a determination that failure to grant the variance would result in exceptional hardship; and
- 12.24.7 Variances shall only be issued upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

SECTION 12.25 HAZARDOUS WASTE MANAGEMENT FACILITIES

A variance may not be issued for hazardous waste management facilities, salvage yards, and chemical storage facilities. A variance may be issued for solid waste disposal facilities or critical facilities located in Special Flood Hazard Areas or within an area bounded by a flood of record contour provided that all of the following conditions are met:

- 12.25.1 The use serves a critical need in the community.
- 12.25.2 No feasible location exists for the use outside the Special Flood Hazard Area.
- 12.25.3 The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection elevation or flood of record contour elevation.
- 12.25.4 Critical facilities shall have at least one access road connected to land outside of the area bounded by a flood of record contour that is capable of supporting a 4,000 pound vehicle.

- 12.25.6 The top of the access road must be no lower than one-half (0.5) feet below either the regulatory flood protection elevation or the flood of record contour elevation.
- 12.25.7 The use complies with all other applicable Federal, State and local laws.
- 12.25.8 The County of Moore has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

SECTION 12.26 CONDITIONS OF APPROVAL

Upon consideration of the factors listed above and the purposes of this section, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this UDO.

12.26.1 Action Following Approval

- A. The Director shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
- B. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) or flood of record elevation and the elevation to which the structure is to be built and that such construction below the Base Flood Elevation increases risks to life and property, and that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- C. Any person aggrieved by the decision of the Board of Adjustment may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.

ARTICLE 17

MANUFACTURED HOME PARKS

17.1 Applicability

This section sets forth the standards required for all new manufactured home parks and expansions of existing manufactured home parks. Application shall be for a minimum of three (3) or more manufactured homes.

17.2 Minimum Dimensional Requirements

Mobile Home Park Size	3 acres
Maximum Density	2 units per acre (See Article 20 for Watershed District density requirements)
Home Space Size	10,000 square feet
Home Space Width	50 feet
Home Space Length	150 feet
Home Space Front Setback	30 feet (Accessory structures – behind MH)
Home Space Side Setback	15 feet (Accessory structures – 15 feet)
Home Space Rear Setback	20 feet (Accessory structures – 5 feet)

17.3 Existing or New Manufactured Home Parks

Existing manufactured home parks that do not meet the standards set forth in this Ordinance shall be considered non-conforming. Such parks shall not expand in any way, beyond the existing park at the time of adoption of this Ordinance, except that any additional new or expanding development must meet the requirements of this Ordinance. The replacement and location of units on an existing manufactured home space or lot shall be permitted provided the total number of lots does not exceed the number of existing lots at the time of adoption of this Ordinance. Removal and replacement of units on such lots or spaces shall not be considered expansion of the manufactured home park. All new manufactured home parks and all expansions to existing manufactured home parks must meet all standards set forth in this Article.

17.4 Rezoning

Manufactured Home Parks may be developed or expanded only within the Manufactured Home Park (MHP) Zoning District. Prior to the construction of a new MHP or expansion of an

existing MHP, property owners may apply to have the land rezoned in accordance to Article 11 (Amendments).

17.5 Site Plan

Any party intending to locate a manufactured home park within a MHP Zoning District shall receive site plan approval by the Administrator. The site plan is a drawing or series of drawings, prepared by a licensed engineer or surveyor, which depicts the proposed general design and arrangement of uses and buildings. The site plan shall be submitted and reviewed in accordance with Article 9 (Zoning & Sign Permits). In addition, the following requirements shall be met on the site plan:

- A. Street lighting plan designed including recommendation by the local electric power company
- B. Internal Street layout
- C. Peripheral Buffer
- D. Home Space Layout
- E. Phase Lines
- F. Certification of approval of solid waste storage, collection, and disposal plans by the Moore County Health Department.
- G. Land contours

17.6 Design Standards

The site plan or separate drawing shall be prepared in accordance with the following standards:

- A. Off-Street Parking. Each home space shall have two (2) parking spaces. The minimum parking space dimensions shall be 9 feet by 18 feet.
- B. Utilities. All utilities shall be located underground. There shall be easements dedicated for utilities including, but not limited to water, sewer, gas, and electrical as shown on the site plan. For manufactured home parks with more than twenty (20) units, public water or wastewater shall be provided.
- C. NCDOT Driveway Approval. Plans for ingress to and egress from the MHP shall be approved by NCDOT. All MHP's shall have a minimum of 50 feet of frontage on a public road. No space shall have direct access to a public street.
- D. Internal Streets. All roadways within a MHP shall be located outside of the home space. A park having five (5) or more spaces shall have paved streets, minimum width of twenty (20) feet, and shall be designed and constructed in compliance with NCDOT's Subdivision Roads Minimum Construction Standards as well as requirements with the "Moore County Fire Ordinance." Unpaved roads or streets shall be graveled to a minimum width of twenty (20) feet and a depth of four (4) inches and shall be designed and constructed in compliance with the "Moore County

Fire Ordinance.” All dead end roadways which provide access to 3 or more manufactured home spaces shall be provided with a permanent paved turn-around. Cul-de-sacs and turn-arounds shall have a minimum one hundred (100) foot diameter. Permanent roadway name signs and stop signs shall be installed at intersections to all internal roadways.

- E. Peripheral Buffer. A densely planted buffer strip not less ~~than ten (10)~~ twenty (20) feet in width, compliant with Type 3 Screening (See Section 7.2).
- F. Operational Accessory Uses. Customary accessory uses may be provided by the property owner, shall be only for the use and convenience of manufactured home tenants, and shall not have direct access to a public road, but shall abut the internal roadway as approved by the Administrator, including:
 - 1. Service buildings and areas necessary to provide laundry, sanitation, vending machines, and similar uses.
 - 2. Recreation buildings and areas.
 - 3. Administrative office. One manufactured home may be used solely as an administration office within the park or an administrative office may be located in a manufactured home which is used as a residence by the resident manager.
- G. Storage buildings. Each manufactured home lot may be equipped with a storage building, provided that all such buildings are located to the rear of any manufactured home.
- H. Phasing. When a manufactured home park is to be developed in phases, the proposed plan must be submitted for the entire development, and application for a zoning permit shall be made for each phase completed and spaces may then be rented upon issuance of the building permit.
- I. Expiration. Once a zoning permit has been issued, all activities pursuant to such permit shall be commenced within six (6) months. If the proposed moving, constructing, altering, repairing, or use of land, as set forth in an application for a zoning permit, is discontinued for a period of one (1) year or more, the permit shall lapse and be of no further force and effect. (Vested Right Provisions are provided in Article 14.)
- J. Occupancy. No building permits shall be issued until the MHP has completed construction per the approved site plan. In addition, the following shall be complete before a building permit for a manufacture home or accessory structure is issued, as approved by the Administrator:
 - 1. There shall be a minimum of three (3) improved manufactured home spaces at first occupancy.

2. The entrance either abuts an NCDOT highway or street or shall be constructed pursuant to NCDOT's Subdivision Roads Minimum Construction Standards Manual before a building permit is issued.
3. Site inspection by all applicable departments and agencies.

17.6 Violation

A violation of the site plan or violation of this Ordinance is subject to the enforcement and penalties pursuant to Article 22 (Enforcement and Penalties).

ARTICLE 15

MANUFACTURED HOME PARKS

SECTION 15.1 GENERAL INFORMATION

15.1.1 Definition of a Manufactured Home Park – Change to Applicability

The placing, erection or installation of three or more manufactured homes on one parcel, plot or lot of land for the purpose of rental of a manufactured home or the rental of a portion of the parcel, plot or lot for a manufactured home shall constitute a manufactured home park for purposes of this Ordinance.

15.1.2 Existing or New Manufactured Home Parks – Kept the same

- 15.1.201 Existing manufactured home parks that do not meet the standards set forth in this Ordinance shall be considered non-conforming. Such parks shall not expand in any way, beyond the existing park at the time of adoption of this Ordinance, except that any additional new or expanding development must meet the requirements of this Ordinance.
- 15.1.202 The replacement and location of units on an existing manufactured home space or lot shall be permitted provided the total number of lots does not exceed the number of existing lots at the time of adoption of this Ordinance. Removal and replacement of units on such lots or spaces shall not be considered expansion of the manufactured home park.
- 15.1.203 All new manufactured home parks and all expansions to existing manufactured home parks must meet all standards set forth in this Article.

SECTION 15.2 APPLICATION AND PERMITTING REQUIREMENTS

15.2.1 Application Requirements – Changed to Rezoning Process Only

- 15.2.101 Prior to the construction of a new manufactured home park or the expansion of an existing manufactured home park, the developer shall make application to the Moore County Planning Board for a conditional use permit in accordance with **§3.9** of this Ordinance to construct or expand such a park.
- 15.2.102 The application shall be accompanied by three (3) copies of the proposed park plan.

15.2.2 Site Plan Requirements – Revised, made simpler, removed unnecessary items

The park plan shall be drawn to a scale of fifty (50) feet to one (1) inch or larger and shall include the following:

- 15.2.201 The name of the park, the names and addresses of the owner or owners, and the designer or Registered Surveyor or Professional Engineer, if the park plans are drawn other than by the owner.
- 15.2.202 Date, scale and approximate north arrow.
- 15.2.203 Boundaries of the tract shown with bearings and distances.
- 15.2.204 Proposed streets, proposed street names, traffic circulation, driveways, recreation areas, parking spaces, service buildings, water courses, easements, manufactured home lots, lot numbers, all structures to be located on the park site, and total acreage of the park.
- 15.2.205 Vicinity map showing the location of the park and the surrounding land usage.
- 15.2.206 Names of adjoining property owners.
- 15.2.207 The existing and proposed utility system for surface water drainage, streetlights, water supply, and solid waste and sewage disposal facilities.
- 15.2.208 Certification of approval of water system plan by the North Carolina Department of Environment and Natural Resources, Division of Environmental Health, Public Water Supply Section for systems proposed to serve fifteen (15) or more connections. For the systems proposed to serve less than fifteen (15) connections, the owner shall provide documentation that the system is adequate, potable and complies with applicable laws, rules and regulations.
- 15.2.209 The property owner shall provide verification that all necessary permits for the installation, operation and maintenance of wastewater collection, treatment, and disposal systems have been obtained for the proposed use of the property.
- 15.2.110 Certification of approval of solid waste storage, collection, and disposal plans by the Moore County Health Department.
- 15.2.211 Land contours with vertical intervals of not less than ten (10) feet for all manufactured home parks with fifteen (15) manufactured home spaces or more.
- 15.2.212 A letter or other certification of approval must be submitted from the North Carolina Department of Transportation, as to the safety and design of the access or entrance on to a state maintained street or road from the manufactured home park.

SECTION 15.3 DEVELOPMENT STANDARDS

15.3.1 Dimensional Requirements

Minimum manufactured home park area	2 acres 3 acres
Minimum park width	100 feet
Minimum park depth	200 feet
Maximum density	4 units per acre 2 /acre
Minimum size of manufactured home space	7,500 square feet 10,000 sf
Minimum manufactured home space width	50 feet
Minimum manufactured home space depth	100 feet 150 feet
See Article 6 (Zoning Districts) for setbacks and accessory structure requirements for each zoning district.	

15.3.2 Minimum Lot Size - **changed to 3 acres to accommodate density increase (existing language predates Watershed Regulations)**

- 15.3.201 A manufactured home park must be a minimum of two (2) acres of contiguous land in total park size and shall contain at least two (2) manufactured home lots/spaces at first occupancy.
- 15.3.202 A manufactured home park developed in phases shall be required to develop a minimum of three (3) lots in the first phase and a minimum of four (4) lots in all additional phases except where the remaining lots to be developed are less than four (4).

15.3.3 Utilities - **simplified**

- 15.3.301 The manufactured home park and all occupied units located in it must be connected to a municipal water/sewerage system or other systems approved by the Moore County Health Department or any State of North Carolina Department, Division, or office having jurisdiction.
- 15.3.302 All utility installations shall comply with applicable building and health codes of Moore County and the State of North Carolina, and the requirements of the North Carolina Utilities Commission.
- 15.3.303 For manufactured home parks with more than twenty (20) units, public water or wastewater **MUST** be provided.
- 15.3.304 An adequate, safe and potable water supply shall be provided for the manufactured home park. The source of the water supply shall either be through a municipal or public water system with the manufactured home park connecting to the water system, or when such system is not available, the manufactured home

park must be serviced by a water supply which meets applicable laws, rules, and regulations.

- 15.3.305 An adequate and safe sewage disposal system shall be provided in the manufactured home park. Collection systems, sewage treatment facilities or individual septic tank systems shall be approved by the North Carolina Division of Environmental Management or the Moore County Health Department as required by law.
- 15.3.306 Street lighting shall be provided throughout the manufactured home park based on a recommended plan, approved or suggested by the local electric power company.
- 15.3.307 All utility systems shall be located underground, and easements necessary for water, sewer, gas, electrical, cable TV, stormwater, if required, and other utilities systems shall be shown on the manufactured home park plans.

15.3.4 Access - simplified

- 15.3.401 All new manufactured home parks are required to have access to a North Carolina Department of Transportation maintained road, highway, or street, or if the entrance does not directly abut a NC maintained road, highway, or street, construction shall be in accordance with the accepted policies and standards of the North Carolina Department of Transportation, Division of Highways, Subdivision Roads Minimum Construction Standards at the time of submission of an application for a manufactured home park.
- 15.3.402 Internal roadways, with a width of at least twenty (20) feet, must be provided for access to individual units and other facilities located within the park and must be graded and maintained at all times in a condition such that normal roadway travel can occur and emergency vehicles can have unrestricted and ready access to any and all units and structures.
- 15.3.403 Each space shall have access to an internal roadway which must have a width of at least twenty (20) feet.
- 15.3.404 A park having four (4) or less spaces may have unpaved roads or streets.
- 15.3.405 A park having five (5) or more spaces shall have paved roads or streets, with a pavement width of not less than twelve (12) feet.
- 15.3.406 Roadways must be graded and maintained at all times in a condition such that normal roadway travel can occur and emergency vehicles can have unrestricted and ready access to any and all units and structures.
- 15.3.407 North Carolina Department of Transportation (NCDOT) standards for pavement design (materials and thickness) shall be met (NCDOT subdivision street standards for materials and thickness).

- 15.3.408 Unpaved roads or streets shall be graveled to a width of twelve (12) feet and a depth of four (4) inches.
- 15.3.409 No space shall have direct access to a public street or road.

15.3.5 Buffers – language is broad, difficult to enforce.... Staff recommends requiring Type 3 buffer

- 15.3.501 A densely planted buffer strip not less than ten (10) feet in width, of continuous evergreen composition or other approved plants, trees or shrubs native to the area, which must be not less than six (6) feet in height within two (2) years, shall be provided on all abutting property lines.
- 15.3.502 The planted buffer must be maintained in a natural living condition at all times.

15.3.6 Parking – kept the same except require parking within the space

- 15.3.601 A minimum of two (2) parking spaces is required for each space or lot, each of which shall be not less than nine (9) feet in width and eighteen (18) feet in length.
- 15.3.602 At least one (1) of the two (2) required parking spaces shall be located on or adjacent to each manufactured home space.

15.3.7 Manufactured Home Space Requirements – not necessary language

Manufactured home units shall be located only in spaces that meet the following requirements:

- 15.3.701 Each space shall be designed so that at least twenty (20) feet clearance will be maintained between units and between manufactured home(s) and other structures within the park.
- 15.3.702 Manufactured home units shall be located so that not less than a fifteen (15) foot setback is maintained from the centerline of the private interior roadway.
- 15.3.703 Each space shall have hook-up facilities for water, sewer, electricity and telephone services. All occupied manufactured home units shall have and use approved sanitary facilities within the manufactured home unit.
- 15.3.704 Storage of flammable or combustible possessions, materials or equipment in the area beneath a manufactured home is prohibited.
- 15.3.705 Each manufactured home park shall provide a clustered or other acceptable mail delivery system that is in compliance with the appropriate postal service guidelines. Consultation must be made with the appropriate agency for provisions of this system. Access to the mail delivery facility must be designed to allow cars to stop at the mail delivery facility without conflicts from passing vehicles.

15.3.8 Other Permitted Uses – kept the rules, simplified

- 15.3.801 Service buildings, recreation buildings, and other areas or structures providing laundry, sanitation, and managerial facilities are permitted subject to approval of the Moore County Planning Department and any other Moore County Departments or State of North Carolina Departments, Divisions or offices having jurisdiction.
- 15.3.802 No such facility shall have direct access to a public street, but shall be served by the privately maintained roadway, within the manufactured home park.
- 15.3.803 Each manufactured home lot may be equipped with a storage building, provided that all such buildings are located to the rear of any manufactured home.

15.3.9 Installation of Individual Manufactured Homes – Already law

- 15.3.901 Each manufactured home shall be set up and installed in accordance with standards specified in the State of North Carolina Regulations for Manufactured Home and Modular Housing.
- 15.3.902 The owner/operator of a manufactured home park shall designate a uniform type of solid foundation enclosure or skirting fully enclosing the crawl space beneath each manufactured home in the manufactured home park. Foundation enclosures or skirting must be installed in accordance with applicable standards of the North Carolina State Building Code and must be installed within ninety (90) days of placement of the home.

15.3.10 Erosion and Stormwater Control Requirements – already law

- 15.3.1001 In order to control erosion, all disturbed land areas shall be protected by a vegetative ground cover as defined in the State of North Carolina Erosion and Sedimentation Control Regulations.
- 15.3.1002 The manufactured home park must be designed and graded in such a manner as to provide for the adequate runoff of stormwater.
- 15.3.1003 Storm drains must be provided with sufficient inlets located at points of surface water accumulation to adequately intersect surface flow.
- 15.3.1004 All other requirements of the State of North Carolina Soil and Erosion and Sedimentation Control Regulations shall also be applicable.
- 15.3.1005 Protected water supply watershed standards may also be applicable.

SECTION 15.4 PARK OPERATORS DUTIES AND RESPONSIBILITIES

15.4.1 Maintenance – Not enforceable by zoning. Garbage complaints are administered through the Solid Waste Ordinance.

- 15.4.101 The manufactured home park owner/operator(s) is required to provide adequate supervision to maintain the park in compliance with the requirements of this Ordinance.
- 15.4.102 Further, the manufactured home park owner/operators shall keep all park owned facilities, improvements, equipment and all common areas in good repair and maintained at all times.
- 15.4.103 The accumulation or storage of materials that would constitute a fire hazard or would cause insect or rodent breeding and harborage is prohibited.
- 15.4.104 The grounds of a manufactured home park shall be maintained free of litter, debris and trash, including but not limited to abandoned appliances, automobiles, building materials or similar materials.
- 15.4.105 Grounds, buildings and storage areas within the manufactured home park shall be maintained at all times such as to produce a safe and healthy environment.
- 15.4.106 All garbage and refuse for individual manufactured homes in each park shall be stored in suitable waterproof and rodent proof trash receptacles which shall be kept covered with tightly fitting lids. A central collection system must be provided within the park either through a private collection system for individual manufactured homes or through the use of bulk containers (dumpsters), which shall be emptied at least weekly.
- 15.4.107 Each manufactured home park owner/operator shall submit to the Moore County Planning Department tenancy rules and regulations governing the operation of the manufactured home park.

15.4.2 Placement Supervision – not enforceable by zoning

Owner/Operators of manufactured home parks shall be required to supervise the placement of all manufactured homes on the site/space.

15.4.3 Assist County Tax Assessor – not enforceable by zoning

Operators shall be required to comply with G.S. 105-316 (a)(1), which requires that, as of January 1 of each year, each operator of a park, renting lots for three (3) or more manufactured homes, furnish to the County Tax Assessor the name of the owner of, and description of, each manufactured home located in the park.

SECTION 15.5 ISSUANCE OF COMPLIANCE PROCEDURES

15.5.1 Temporary Manufactured Home Compliance Certificate – not necessary

- 15.5.101 After the Planning Board gives approval for the proposed manufactured home park plan or a phase of the plan, if it is to be developed in phases, the

administrative official is authorized to issue a Temporary Manufactured Home Park Compliance Certificate.

- 15.5.102 The intent of this Temporary Manufactured Home Park Compliance Certificate is to enable the construction of the park, or a phase, according to the proposed plan, but shall not be construed to entitle the applicant to offer spaces for rent or lease, or to operate a manufactured home park.
- 15.5.103 If construction of the manufactured home park or a phase has not begun within three hundred and sixty five (365) calendar days from the issued date of the Temporary Manufactured Home Park Compliance Certificate, the Temporary Manufactured Home Park Compliance Certificate shall be null and void and a new application must be submitted if the owner/developer desires to develop the manufactured home park.
- 15.5.104 However, the Planning Board may grant an extension of the Temporary Manufactured Home Park Compliance Certificate for a period not to exceed one hundred eighty (180) calendar days, when the applicant shows reasonable cause for the delay.

15.5.2 Manufactured Home Compliance Certificate – Same as zoning permit process

- 15.5.201 When the owner/developer has completed the construction of the manufactured home park or a phase, he shall apply to the administrative official for a Manufactured Home Park Compliance Certificate.
- 15.5.202 The administrative official and an official of the Moore County Health Department shall make an on-site inspection of the park.
- 15.5.203 If the park or a phase conforms to the approved plan, the administrative official shall issue the owner/developer the Manufactured Home Park Compliance Certificate for the park or the phase for which any application was filed.
- 15.5.204 If the park or a phase does not conform with the approved plan, the administrative official shall delay issuance of the Manufactured Home Park Compliance Certificate until the park or phase for which an application was filed comes into conformity.
- 15.5.205 The Manufactured Home Park Compliance Certificate issued to the applicant shall constitute the authority to operate the manufactured home park.

15.5.3 Phasing – revised

When a manufactured home park is to be developed in phases, the proposed plan must be submitted for the entire development, and application for a Manufactured Home Park Compliance Certificate may be made for each phase completed and spaces may then be rented upon issuance of the Manufactured Home Park Compliance Certificate for the phase completed.

15.5.4 Violation - revised

- 15.5.401 Violation of any of the requirements or provisions of this Article constitutes grounds for refusing to issue or for revoking a Manufactured Home Park Compliance Certificate.
- 15.5.402 Persons who operate, create, develop or expand a manufactured home park without complying with this Ordinance shall be subject to the penalties outlined in **Article 5** (Enforcement and Penalties).

ARTICLE 18

PLANNED UNIT DEVELOPMENTS

18.1 Applicability

- A. Before any development shall be designated as a Planned Unit Development Conditional Zoning District (PUD-CZ), it shall follow review and approval procedures and development standards pursuant to this chapter, Section 9.2.C (Site Plan Requirements) Article 12 (Conditional Zoning), and Section 24.6 (Major Subdivisions). This chapter establishes the minimum requirements for Planned Unit Developments. Application shall be for a minimum of fifty (50) acres and minimum thirty (30%) open space.

18.2 Minimum Requirements

- A. Site Plan. The site plan is a drawing or series of drawings, prepared by a licensed engineer or surveyor, which depicts the proposed general design and arrangement of uses and buildings. The site plan shall be in accordance with Section 9.2.C (Site Plan Requirements) Article 12 (Conditional Zoning), and Section 24.6 (Major Subdivisions). In addition, the site plan shall include:
1. Street layout, all proposed means for pedestrian and vehicle movement, site access points, lot dimensions, setbacks;
 2. Existing conditions such as wooded areas, streams, wetlands, floodplain, watershed, contour lines, utility lines;
 3. Proposed amenities, open space, vegetative screening, project edge buffer, the general location of proposed water and sewer system;
 4. Informational table listing the deed book and page references noted for each parcel within the site, total number of acres, proposed use categories (ie. residential, commercial), total number of dwelling units, total square footage for each type of non-residential use, and total density
- B. Allowed Uses. The proposed uses shall be a mixture of residential and non-residential uses. All uses permitted by right and conditional uses are allowed, subject to approval by the Board of Commissioners. **No commercial construction may be commenced until at least fifty percent (50%) of the proposed dwelling units or one hundred (100) dwelling units, whichever is smaller, are completed and ready for occupancy.**

- C. Density and Dimensional Standards. All density and dimensional standards shall be established by the Board of Commissioners at the time of approval. PUD's shall be in accordance with watershed density requirements (see Article 20).
- D. UDO Compliance. The PUD-CZ shall be in compliance with other relevant portions of the UDO, including but not limited to the standards listed below, except that variations from these standards may be approved by the Board of Commissioners if the site plan is submitted and determined to be suitable for the PUD-CZ, is consistent with the intent of the standards, and ensures compatibility with land uses on surrounding properties:
1. Watershed Cluster Developments – Section 20.6
 2. Streets – Section 24.7(D)
 3. Parking and Loading – Article 8. In addition, parking shall be paved and clearly marked. If provided, on-street parking may be used to reduce the on-site parking requirement by up to 50%.
 4. Vegetative Screening and Highway Corridor Overlay District – Article 7
 5. Peripheral Buffer – Section 24.9(2)
 6. Open Space – Section 24.9
 7. Water and Sewer – Section 24.7(E)
 8. Fire Service – Section 24.7(F)
 9. Solid waste disposal plan
 10. Where private septic systems are proposed, a Soil Evaluation Report – Section 24.8(C)
 11. Draft Home Owners Association
- E. Agency Review. The Administrator shall consult with other applicable departments and agencies, if applicable, pursuant to Section 24.6(E) Agency Review.
- F. Utilities. The subject property must be served by public or community water and sewer. The applicant shall submit documentation of preliminary approval of water and/or sewer service in accordance with Moore County Public Utilities policies and calculations demonstrating the estimated water and/or sewer capacity required to service the proposed project.
- G. Traffic Impact Analysis. NCOT may require a traffic impact study.
- H. NCDOT Driveway approval. If any street proposed to access a state-maintained road, the applicant shall receive driveway approval as required by NCDOT's "Policy on Street and Driveway Access to North Carolina Highways" prior to construction and/or final plat approval.

- I. Proposed phases. The submittal shall include a phasing plan and timeline for the development if applicable. If more than one phase is proposed, then the project improvements and amenities that are necessary or desirable for residents of the project, shall be constructed with the first phase of the project, or if this is not possible, then as early in the project as is technically feasible, as approved by the Board of Commissioners. A maximum of fifty (50%) percent of the building permits shall be permitted prior to completion of all infrastructure improvements. Should the developer wish to secure the remaining building permits prior to installation of all improvements, the developer shall obtain a guarantee per Section 24.13.

18.3 Planning Board Recommendation

That Planning Board shall examine the application for the establishment of a PUD-CZ District and shall, as a minimum, consider the following matters:

1. The Site Plan and regulatory standards imposed on the PUD-CZ District is designed to accomplish the purposes listed in Section 12.2(A);
2. Ingress and egress to property and proposed structures thereon;
3. Documentation of preliminary approval of water and/or sewerage systems, and other essential services, whether public or private, with reference to location, availability, sufficiency, and maintenance;
4. Project buffer and screening with reference to type, dimensions, and character;
5. Signs and proposed exterior lighting, with reference to glare, traffic safety, and compatibility and harmony with properties in the area;
6. Existing conditions such as wooded areas, streams, wetlands, floodplain, watershed, contour lines, utility lines;
7. Proposed amenities, open space, vegetative screening, project edge buffer, the general location of proposed water and sewer system; and
8. Informational table listing the deed book and page references noted for each parcel within the site, total number of acres, proposed use categories (ie. residential, commercial), total number of dwelling units, total square footage for each type of non-residential use, and total density.

18.4 Preliminary Plat Approval

An approved Conditional Zoning District and all conditions attached are binding on the property. After approval of the Site Plan the applicant can submit to receive the following approvals pursuant to Section 24.6 Major Subdivision:

1. Preliminary plat approval
2. Construction plan approval
3. Installation and inspections of improvements

4. As-built drawings submittal and approval
5. Final plat approval

18.5 Deviations from the Site Plan

The Administrator shall accommodate for deviations to the approved layout including, by not limited to, small site alterations such as realignment of streets and infrastructure. Substantial changes including, but not limited to, more than ten (10%) percent increase density, requires approval by the Board of Commissioners.

18.6 Violation

A violation of the site plan or violation of this Ordinance is subject to the enforcement and penalties pursuant to Article 22 (Enforcement and Penalties).

ARTICLE 13

PLANNED UNIT DEVELOPMENTS

SECTION 13.1 DEFINITION AND PURPOSE

13.1.1 Definition – Revised to Applicability, same Conditional Zoning Process

- 13.1.101 A Planned Unit Development (PUD) is a unique zoning district that allows coordinated development on larger sites provided the conditions and standards established for the particular site are met.
- 13.1.102 As such, development within a PUD shall occur in accordance with unique conditions and standards established during the rezoning process that may vary from those contained within other sections of this Ordinance.
- 13.1.103 Such conditions and standards shall be applicable only to the specific parcel(s) of land that comprises that PUD, and shall run with the land regardless of ownership.

13.1.2 Purpose – Moved to Zoning District Intent

The purpose of the PUD is to accommodate large-scale, master planned, mixed-use developments that cannot be accomplished through conventional zoning districts. It provides the ability to depart from conventional standards as a means of encouraging innovation, creativity and a higher level of development quality by allowing for the following:

- 13.1.201 creativity and innovation in the design that leads to more appropriate relationships between land uses and site features,
- 13.1.202 the establishment of a coordinated land plan and consistent treatment of common design elements,
- 13.1.203 a mixture of compatible uses,
- 13.1.204 clustering of development thereby increasing the amount of open space preserved,
- 13.1.205 a network of open space that serves a variety of recreational and environmental purposes and that is designed and located with respect to existing significant natural features and environmentally sensitive areas,
- 13.1.206 to encourage the preservation and improvement of the maximum amount of wetland as possible in accordance with the Moore County Land Use Plan,
- 13.1.207 the thoughtful integration of public or semi-public spaces and amenities to promote community gatherings and activities,
- 13.1.208 connectivity within the development to promote convenient vehicular and non-motorized access and optimal circulation,

- 13.1.209 efficient provision and use of public services and utilities,
- 13.1.210 flexibility to respond to market conditions over longer projected development periods due to the scale of such developments, and
- 13.1.211 if residential is a proposed land use, a variety of lot sizes and dwelling types to expand the spectrum of housing choices for households varying in type, size and age.

SECTION 13.2 TYPES OF PLANNED UNIT DEVELOPMENTS

13.2.1 Planned Unit Development – Hamlet (PUD-H) – Removed (just one type of CZ district: minimum 25 acres)

Planned Unit Development–Hamlet (PUD-H) is intended for mixed-use development in close proximity to existing municipalities where such development would complement these more urban areas and have better access to available infrastructure. A PUD-H shall meet the following requirements:

- 13.2.101 Minimum area required: twenty-five (25) contiguous acres. Parcels of land separated only by a public easement or right-of-way (road, utility) shall be considered contiguous.
- 13.2.102 The site abuts or has access to a major thoroughfare.

13.2.2 Planned Unit Development – Rural (PUD-R) – Removed (just one type of CZ district: minimum 25 acres)

Planned Unit Development–Rural (PUD-R) is intended for the more rural areas of the County. While a mixture of uses is permitted, development is less intense than development in a PUD-H due to distance from existing municipalities and available infrastructure. A PUD-R shall meet the following requirements:

- 13.2.201 Minimum area required: fifty (50) contiguous acres. Parcels of land separated only by a public easement or right-of-way (road, utility) shall be considered contiguous.

SECTION 13.3 APPLICATION SUBMITTAL

13.3.1 Planned Unit Development Application – References the Conditionl Zoning Chapter for submittal, review, and approval process of site plan

An application for a Planned Unit Development must include all the information contained in **§3.11** (Conditional Zoning) of this Ordinance as well as the information contained in this section.

13.3.2 Documentation of Utilities - simplified

The availability of public utilities is a significant factor in the development process. Developments having access to both public water and sewer service will achieve greater density than properties that have access to either water or sewer only. If a property does not have access to either public water or sewer the maximum density could be significantly lower. The following documentation submitted with the application will ensure the development proposed can be supported by the utilities either existing or proposed.

- 13.3.201 Documentation of preliminary approval of water and sewer service in accordance with Moore County Public Utilities policies.
- 13.3.202 Calculations demonstrating the estimated water and sewer capacity required to service the proposed project.

13.3.3 Traffic Impact Analysis – DOT has TIA requirements already

A traffic impact study performed and prepared by a qualified transportation or traffic engineer or planner. The requirement to prepare a full traffic impact analysis may be waived by the Administrator only if all of the following conditions are met:

- 13.3.301 Daily trip generation is less than 5,000 trips; and
- 13.3.302 The applicant submits a written request for a Traffic Impact Analysis waiver with appropriate supporting documentation; and
- 13.3.303 The County Manager concurs with the request.

13.3.4 Existing Conditions Map – included necessary items to site plan requirements

An Existing Conditions Map(s) displaying existing site conditions (existing natural, man-made and legal features) must meet the required Drawing Standards as listed in §13.3.10 (Drawing Standards) and shall include the following:

- 13.3.401 Existing natural features:
 - A general description and location of prevalent tree canopy and vegetation.
 - Orchards or other agricultural groves by common or scientific name.
 - Soil types
 - Streams, ponds, drainage ditches, swamps, 100-year floodplains, and general location of wetlands.
 - Contour lines with contour intervals no greater than two feet as determined by a licensed engineer or land surveyor.
 - If present, any unique land formations and significant natural features (i.e., endangered and threatened plants and animals, waterfalls, rock outcroppings, etc.).
- 13.3.402 Existing man-made features:
 - Roads (public and private) and parking areas.
 - Existing drainage swales/ditches
 - Storm water facilities or drainage structures.

- Utility lines and other facilities, including water, sewer/septic, electric power, light poles, telephone, and gas.
- Buildings and other structures, including any designated historical structures.

13.3.403 Existing legal features:

- Zoning of the property, including zoning district lines where applicable.
- Boundaries of the parcel(s) that comprise the site to be developed (with bearings and distances noted on the boundaries that are also the exterior boundaries of the site),
- Boundaries of adjacent properties.
- Nearby corporate limits of County(s), County boundaries, and ETJ boundaries.
- Street and other rights-of-ways.
- Utility and other easements.
- Deed book and page reference noted on each parcel within the site.
- Zoning, use, pin number, Land Record Key (LRK) number, and ownership of all adjacent tracts.

Note: Acceptable sources of data include, but are not limited to, readily available data, such as Land Cover data (source: CGIA), Gap Analysis data (source: CGIA), National Wetlands Inventory (NWI), Natural Heritage Inventory (NHI) (source: CGIA), aerial photography, ortho, USGS maps, Moore County GIS data, etc.

13.3.5 Land Development Plan – Changed to one site plan review and approval

A Land Development Plan that consists of a drawing or series of drawings that is intended to demonstrate the proposed mix of land uses within the property, general locations of such land uses and the overall transportation circulation pattern within the property. The Land Development Plan must meet the required Drawing Standards as described in §13.3.10 (Drawing Standards) and must include:

- 13.3.501 A general vicinity map indicating the location of the property in relation to its surroundings.
- 13.3.502 The total number of acres of the site.
- 13.3.503 The proposed net developable acres of the site.
- 13.3.504 The proposed use categories (i.e., residential, commercial, etc.) with proposed maximum number of dwelling units or gross floor area of non-residential uses indicated for each use category.
- 13.3.505 The maximum gross density (Dwelling Units per Acre) for the development.
- 13.3.506 If sub-areas are delineated, the general boundaries of each sub-area and the proposed uses within each.

- 13.3.507 The proposed transportation circulation pattern including general points of ingress/egress for the development from existing roads and the general location of proposed Arterial and Collector streets within the site.
- 13.3.508 The general location of any proposed amenities.
- 13.3.509 Location and width of buffers at project edge.
- 13.3.510 The general location(s) of required open space and any additional open space to be provided. (see §13.8 (Open Space Requirements) for description of open space)
- 13.3.511 The general location of proposed water and wastewater system connections.
- 13.3.512 The general location of proposed primary storm water management facilities.

13.3.6 Conceptual Plan – Changed to one site plan review and approval

A Conceptual Plan that is an illustrative drawing, or series of drawings, that depicts the general design concept, character and intent for the development of the entire property. The ultimate arrangement of uses, the exact alignment and configuration of streets, thoroughfares, points of access and parking areas, and the precise location, height and mass of buildings to be constructed need not be finally determined in a Conceptual Plan, which may be only schematic in nature. (Note: The PUD requires the submittal of a detailed Preliminary Plan, as defined in §13.4 (Preliminary Plat Approval) below, which shall control the development of the site.) The Conceptual Plan submittals must graphically include:

- 13.3.601 The general arrangement of all proposed commercial, civic, institutional, industrial, office and/or retail uses.
- 13.3.602 The general arrangement of all proposed residential uses.
- 13.3.603 The general location and type of any proposed amenities, including recreational and pedestrian circulation facilities.
- 13.3.604 The proposed transportation/circulation patterns including general points of ingress/egress for the development from existing roads and the general location and identification of proposed Local, Sub-Collector, Collector and Arterial streets within the development.
- 13.3.605 The general location of proposed primary project signs.
- 13.3.606 The general location of proposed open space.
- 13.3.607 The proposed project edge treatment(s), screening requirements and general landscape treatments.
- 13.3.608 The general location of primary proposed storm water management facilities (indicating approximate location of primary detention ponds, other facilities and best management practices to be employed).
- 13.3.609 The incorporation of any known historic structures or significant natural site features (i.e. rock outcroppings, waterfalls, etc.).

13.3.610 The general location of any other proposed major structures or facilities.

13.3.7 Development Conditions – Statement will be offered in application. Other items are included in site plan requirements

Development Conditions – A set of conditions that will apply to development within the property that is identified in the Application for Rezoning. The following shall be included:

- 13.3.701 Development program that is a brief statement of the nature and intent of the proposed development, the proposed land use categories and the permitted uses within each category. This program shall specify the maximum number of dwelling units and/or gross floor area of non-residential uses for each proposed use category for the entire development and any proposed conversion schedule.
- 13.3.702 Development standards - Dimensional standards for each use or use category, as appropriate:
 - Minimum lot sizes (area).
 - Minimum lot width(s).
 - Minimum building setback(s) and yard(s).
 - Maximum impervious lot coverage.
 - Maximum building/structure height(s).
- 13.3.703 Graphic illustrations that depict the above standards, such as typical lot layouts, shall be included, if differing from standards specified within this Article.
- 13.3.704 Statement(s) regarding the treatment of known natural and man made features identified on the existing conditions map §13.3.5 (Land Development Plan)
- 13.3.705 Statement(s) regarding any public facilities, housing or infrastructure improvements to be made as part of the development.
- 13.3.706 Statement regarding the timing of development.
- 13.3.707 Statement regarding gated portions of the development, if any portion of the development is intended to be gated.
- 13.3.708 Any other proposed design conditions that differ from the standards set forth in this Article.

13.3.8 Completeness Determination – Process is in Conditional Zoning Chapter

Within fifteen business days of receipt, the application shall be reviewed by the Zoning Administrator for completeness. The Planning Staff shall review the application for compliance with the appropriate sections of the Ordinance and it shall be considered officially filed only after it is examined by the Staff and found to be in compliance with this Ordinance.

13.3.9 Progress Reports – Not necessary

The developer will be required to provide the Planning Department with annual reports outlining progress to date along with circumstances that may result in delays.

13.3.10 Drawing Standards – Included in site plan requirements

All drawings submitted as part of the PUD application must meet the following minimum standards:

- 13.3.1001 Shall be drawn to scale, using such a scale that all features required to be shown on the plans are readily discernible.
- 13.3.1002 Shall be prepared by a Professional Engineer currently licensed and registered in the State of North Carolina by the NC Board of Examiners for Engineers and Surveyors, or by a Landscape Architect currently licensed and registered by the North Carolina Board of Landscape Architects.
- 13.3.1003 Shall include a title, contained within a title block giving the name(s) of the applicant(s), date, graphic scale, and the person or firm preparing the plan, a north arrow and a legend if necessary.
- 13.3.1004 The applicant shall provide an appropriate and reasonable number of copies (not to exceed 20) that the Planning Director deems necessary to expedite the review process and to provide necessary permanent records.

SECTION 13.4 PRELIMINARY PLAT APPROVAL

13.4.1 Preliminary Plat Required – New language references to Major Subdivisions Chapter

- 13.4.101 Prior to the approval of any clearing, construction permits or plats within the PUD, the applicant must submit a Preliminary Plat prepared by a licensed surveyor to the Zoning Administrator for review and approval.
- 13.4.102 If development is phased, the submittal of a Preliminary Plat for each phase is required.
- 13.4.103 The Preliminary Plat must be in accordance with the approved Development Conditions and Land Development Plan attached to the approved zoning application.
- 13.4.104 Each Preliminary Plat shall include sufficient information allowing the Zoning Administrator to properly evaluate such plan for compliance with the specific PUD.

13.4.2 Preliminary Plan Requirements - New language references to Major Subdivisions Chapter

The Preliminary Plan submittal shall include the following:

- 13.4.201 If development is phased, a summary table indicating the overall status of:

- The allocation of approved residential units or floor area of non-residential uses.
 - The allocation of required open space (acres) within each phase.
 - Projected commencement and completion date for subject phase.
- 13.4.202 A graphic depiction of the proposed phase which must meet the required Drawing Standards and shall include:
- A title, giving the names of the developers, the date, the scale of the plan, and the person or firm preparing the plan.
 - Topography of the site, at contour intervals no greater than 10 (ten) feet
 - Location and proposed use of all buildings, other than single-family units.
 - Lot layout.
 - Street network with street types specified, driveways, other traffic circulation areas and parking areas with spaces.
 - Points of ingress/egress for existing roads.
 - Service areas, off-street loading facilities, service drives
 - Primary project sign locations and sizes, which may be further detailed in a sign plan accompanying the submittal.
 - The location of storm water management facilities.
 - The location of water and wastewater systems, particularly proposed fire hydrant locations and system connections to existing facilities.
 - Open space areas (type and configuration) and access, if provided.
 - The location and type of amenities including recreational and pedestrian circulation facilities.
 - Landscaping, screening (fences, walls, vegetation) and buffer details indicating location and, if applicable, composition and height.
 - Lighting plan, where applicable.
 - The location of and plans for any historic structures or significant natural features.
 - The location of any other proposed major structures or facilities.
- 13.4.203 A written explanation of any minor design modifications from the approved Land Development Plan, if applicable.
- 13.4.204 Certifications from the appropriate agencies that the proposed utility systems are or will be adequate to handle the proposed development.
- 13.4.205 A draft of the Articles of Incorporation for the Property Owners' Association (POA) and/or other legal documentation demonstrating the establishment/identification of the entity responsible for control and maintenance of required common areas and facilities.
- 13.4.206 A statement regarding sedimentation/erosion control. (Sedimentation and Erosion Control Plan shall be submitted to the Land Quality Section, Department of Environment and Natural Resources and shall be part of the set of construction drawings prepared in accordance with the approved Preliminary Plan.)

13.4.3 Preliminary Plan Approval - New language references to Major Subdivisions Chapter

- 13.4.301 Within fifteen business days, the Planning Director shall determine if the Preliminary Plan is in overall compliance with the approved PUD.
- 13.4.302 Should the Planning Director determine that the Preliminary Plan submittal is not in compliance with the approved PUD, the Planning Director shall deny the Preliminary Plan submittal.
- 13.4.303 If denied, the applicant may revise and resubmit such Preliminary Plan or may elect to have the submittal forwarded to the Planning Board for consideration.

SECTION 13.5 AMENDMENTS, ADDITIONS AND EXPIRATION OF PUD

13.5.1 Expiration of the Approved PUD – Already specified in Conditional Zoning Chapter

- 13.5.101 Once the PUD is approved by the Board of Commissioners, the Land Development Plan and Development Conditions attached thereto, shall be binding upon the property and all subsequent development and use of the property shall be in accordance with the approved Land Development Plan and Development Conditions.
- 13.5.102 The approval of the PUD District zoning shall be null and void unless a Preliminary Plan for at least the initial phase has been submitted for review and approval within three (3) years after the date of approval of the PUD application and, if not submitted within such time frame, the zoning for the property shall revert back to its previous zoning classification. Such time period will not be extended with transfer of ownership.
- 13.5.103 Upon written request, one extension of time may be granted by the Board of Commissioners for a period not to exceed one year for good cause shown.
- 13.5.104 No request for an extension shall be considered unless a written request is submitted to the Planning Director no later than 45 calendar days prior to the date the PUD is to expire.
- 13.5.105 The extension shall be deemed granted until the Board of Commissioners has acted upon the request for extension.

- 13.5.106 Failure to submit a written request for an extension within the time limits established by this Section shall render the approved PUD Land Development Plan null and void upon the expiration of the three-year term.

13.5.2 Minor Amendments to the Approved PUD – Changed to “Deviations from Site Plan”

Following approval of the PUD by the Board of Commissioners, the Zoning Administrator may approve the following minor amendments to the PUD:

- 13.5.201 Changes which result in a decrease in density (residential or non-residential)
- 13.5.202 Changes that result in increased density in overall PUD which are equal to or less than 10% (of the approved density amount as specified in the Development Conditions.)
- 13.5.203 Decrease in the amount of open space identified in the Land Development Plan if it is less than or equal to a ten percent (10%) change provided the minimum open space requirement is satisfied with the remaining open space and such open space meets all other requirements for open space regarding composition, contiguity, etc..
- 13.5.204 Change in dimensional standards set forth in the Development Conditions that result in a decrease in minimum standards or increase in maximum standards that is less than or equal to a ten percent (10%) change (i.e. an increase in building height and/or a decrease in required setbacks or yards).
- 13.5.205 Change in land use from multi- family to single- family or a change from any other use to open space/passive recreation.
- 13.5.206 Changes in major infrastructure features (i.e. roads, access, sewer, water, storm drainage) of the area which are clearly beneficial to the occupants of the PUD. In cases where infrastructure changes are not deemed to be clearly beneficial to property owners, the Planning Director may refer amendments to the Planning Board for review and approval.
- 13.5.207 Deviations arising from limited technical considerations which could not reasonably be anticipated during the approval process.
- 13.5.208 Any other change which has no material effect on the character of the approved Land Development Plan, as determined by the Planning Director, such as:
- Driveway relocations.
 - Facility design modifications for amenities.
 - Substitutions of landscaping materials within the same genus, so long as the substituted material is not of a type that is specifically prohibited per the Ordinance or approved PUD landscape standards.
 - Modifications to uses in accordance with an approved Conversion Schedule supplied by the developer as part of the Development Conditions.

13.5.3 Major Amendments to the Approved PUD - New language references to Major Subdivisions Chapter

The Board of Commissioners approval is required for any change that cannot be approved by the Zoning Administrator, including the following:

- 13.5.301 Changes in major infrastructure features referred to the Planning Board by the Zoning Administrator.
- 13.5.302 Changes that result in increased density in overall PUD greater than ten percent (10%) (of the approved amount as specified in the Development Conditions.)
- 13.5.303 Decrease in the amount of open space identified in the Land Development Plan if exceeds a ten (10%) percent change.
- 13.5.304 Change in dimensional standards set forth in the Development Conditions that result in a decrease in minimum standards or increase in maximum standards that exceeds a ten percent (10%) change (i.e. an increase in building height and/or a decrease in required setbacks or yards).
- 13.5.305 Significant changes in land use or addition of land uses, other than allowable changes specified in a Conversion Schedule that was approved during the initial PUD approval
- 13.5.306 An increase or decrease in project area other than survey or other base data corrections.
- 13.5.307 Change to proposed treatment of project edge.
- 13.5.308 Addition or reduction of driveways or access points, especially those which negatively affect connectivity.

13.5.4 Addition to the Approved PUD – language is not necessary. Anyone can apply again anyway.

Additional land area may be added to an existing PUD if the new area is adjacent to the original PUD and forms a logical addition to it. The procedure for rezoning an addition to PUD shall be the same as if an original application were filed.

SECTION 13.6 PHASED DEVELOPMENTS

13.6.1 Phased Development Requirements – simplified language. References guarantees.

- 13.6.101 Planned Unit Developments may be developed in phases. However, as initial phases are developed, the developer shall impose restrictive covenants on the additional portion of the tract in the Planned Unit Development. This will ensure that approved plans are completed.

- 13.6.102 When developed in phases, a maximum of fifty percent (50%) of the building permits outlined in the Preliminary Plan will be issued prior to completion of all infrastructure improvements.
- 13.6.103 Should the developer wish to secure the remaining building permits prior to installation of all improvements, the developer may obtain a performance bond equal to 1.5 times the entire cost of installing all required improvements.
- 13.6.104 The bond shall be payable to Moore County and the duration shall be until such time as the improvements are accepted by the Board of Commissioners.
- 13.6.105 The developer may deposit cash, an irrevocable letter of credit or other instrument readily convertible into cash at face value, either with Moore County or in escrow with a financial institution designated as an official depository of Moore County.
- 13.6.106 The use of any instrument other than cash shall be subject to the approval of the Board of Commissioners and shall equal 1.5 times the entire cost of installing all required improvements.
- 13.6.107 If cash or other instrument is deposited in escrow with a financial institution as provided above, then the developer shall file with the Board of Commissioners an agreement between the financial institution and himself guaranteeing the following:
- That said escrow account shall be held in trust until released by the Board of Commissioners and may not be used or pledged by the developer in any other manner during the term of the escrow; and,
 - That in the case of a failure on the part of the developer to complete said improvements, the financial institution shall, upon notification by the Board of Commissioners and submission by the Board to the financial institution of an engineer's estimate of the amount needed to complete the improvements, immediately pay to Moore County the funds estimated to complete the improvements up to the full balance of the escrow account, or deliver to the County any other instruments fully endorsed or otherwise made payable in full to the County. If any funds are not spent in completing the improvements, the County shall retain, as a service charge, ten percent (10%) of the cost of completing those improvements and return the balance to the developer.

SECTION 13.7 GENERAL DEVELOPMENT STANDARDS

13.7.1 Permitted Uses - **simplified**

- 13.7.101 A PUD district may contain any combination of uses (permitted and conditional) listed in the Table of Uses.

- 13.7.102 All proposed uses listed in the approved zoning application are permitted uses subject to the conditions established through the rezoning process in connection with the specific application.
- 13.7.103 The type and location of any and all uses within the PUD district must be demonstrated to be appropriate for the project area and surrounding area.
- 13.7.104 Permitted uses are to be specific for that planned unit development, and must be approved by the Moore County Board of Commissioners.

13.7.2 Dimensional Requirements – Table is not necessary. The applicant has the burden of proof to provide high quality layout to justify decreasing County dimensional standards and setbacks.

The dimensional standards for all development within the PUD shall be specified in the development conditions. However, such dimensional standards shall adhere to the minimum and maximum dimensions requirements set forth in the tables below:

Dimensional Table						
Development Types	Lot Area (min. ft.)	Lot Width (min. ft.)	Front Yard (min. ft.)	Side Yard (min. ft.)	Rear Yard (min. ft.)	Height (max.)
Residential Uses and Structures						
Small (Detached) less than 2000 square feet	4,000	40	5	5	10 ¹	40
Large (Detached) 2000 square feet or larger	7,200	90	5	10	10 ¹	40
Townhouse/ Attached	1,100/unit	14/unit	0/5 ²	0/5 ³	10 ¹	45 ⁴
Multifamily	1,100/unit	15/unit ⁵	0/5 ²	0/5 ³	10 ¹	60 ⁴
Commercial Uses and Structures						
Mixed Use/Single Use	5,000	20	0/5 ²	0/5 ³	10 ¹	60 ⁴
Civic/Public Uses and Structures						
All structures	5,000	30	0/5 ²	0/5 ³	10 ¹	60 ⁴
Industrial Uses and Structures						
All structures	20,000	100	15	20	30	60 ⁴

¹ The required rear yard depth shall be reduced to five feet when abutting an alley or dedicated open space. Appurtenances shall be allowed to extend into required rear yard as provided in the Appurtenances below.

² Buildings may provide a front yard of zero (building drawn up to sidewalk), otherwise, the minimum yard depth shall be five feet to provide adequate space for landscaping, a courtyard, or other amenity area. Appurtenances shall be allowed to extend into required front yard as provided in the Appurtenances below.

³ A side yard of five feet must be used when the adjoining property is occupied by a detached residential unit. In all other situations, a side yard of zero may be used. Appurtenances shall be allowed to extend into required side yard as provided in the Appurtenances below.

⁴ Height may be above the maximum height indicated, provided all portions of the structure exceeding the height limit indicated shall be stepped back an additional 1 foot from the adjoining property line for each additional foot in excess, the increased height does not negatively affect surrounding properties and it is approved by the Moore County Director of Public Safety. In all areas within one thousand feet of any aircraft landing field, a structure exceeding thirty-five (35) feet in height shall be permitted only upon a finding by the Board of Adjustment after a public hearing that it does not constitute a menace to safety. Church steeples, chimneys, belfries, water tanks or towers, fire towers, flag poles, spires, wireless and broadcasting towers, monuments, cupolas, domes, antennas (except satellite dish antennas), and similar structures and necessary mechanical appurtenances may be erected to any height, unless otherwise regulated.

⁵ In order provide increased design flexibility for multifamily projects, the lot width requirement shall only apply to the first five units. The minimum lot width required for a multifamily project with more than five units is seventy (75) feet.

⁶Appurtenances. A step, stoop, open porch, balcony, awnings or other appurtenance may extend up to five (5) feet into the front setback, provided such features do not impede pedestrian circulation or extend more than twenty-five percent (25%) into the setback.

13.7.3 Lot Access – Subdivision related language

13.7.301 Access to lots must be provided by an interior street constructed as part of the development

13.7.302 No lot shall have direct access to an existing state maintained road.

13.7.4 Setbacks – HCOD is included in site plan requirement.

13.7.401 PUDs shall, at a minimum, meet setback and landscape requirements of the Highway Corridor Overlay District in which they are located.

13.7.402 **Transitional Setbacks.** Along collector and arterial roadways, which have the potential to be expanded in the future to accommodate additional capacity based on increased traffic volumes and which are identified on adopted NCDOT and/or county-wide transportation improvement plans as future widening projects, a transitional setback shall be established. The setback is measured from the future right-of-way instead of the existing right-of-way.

13.7.5 Parking and Loading – references the parking chapter.

Parking areas shall have a paved surface and all parking areas and traffic lanes shall be clearly marked. The standards for parking and loading set forth in §8.3 (Parking and Loading) shall apply to all development within the PUD, with the following exceptions:

13.7.501 On-street parking shall be allowed provided that the road width will accommodate same. On-street parking may consist of parallel, perpendicular, angled or any combination of these types of parking spaces. If provided, on-street parking may be used to reduce the on-site parking requirement by up to fifty percent (50%).
Kept underline language.

13.7.6 Streets – references street design standards from Subdivision Chapter.

All streets shall conform to the standards contained in §17.3, except as provided below:

- 13.7.601 The street system may include private roads, provided that all streets are designed and constructed in accordance with NCDOT minimum construction standards for subdivision roads and Moore County Public Safety road design standards.
- 13.7.602 Street network shall accommodate the network reflected in the adopted NCDOT Comprehensive Transportation Plan and other similar adopted plans.
- 13.7.603 The street system shall form a logical hierarchy with streets of lower classification connecting to streets of higher classification.
- 13.7.604 Private, dead-end roads may be terminated in a cul-de-sac or "T" turnaround. Where a "T" turnaround is used as the terminus for a private road, the dimensions (e.g., turning radius) of the "T" shall be sufficient to allow emergency service and trash collection vehicles adequate room to turn around.
- 13.7.605 Number of access points. A minimum of two (2) access points into the development are required or as per NCDOT regulations. If the development abuts one (1) state-maintained road, providing two (2) or more access points along such road will be subject to NCDOT's review and approval. If the development abuts more than one state-maintained road, at least one (1) access point on each road shall be required, subject to NCDOT's review and approval.

13.7.7 Pedestrian Circulation – Applicant will show pedestrian movement in site plan for the BOC to determine practicality.

- 13.7.701 The pedestrian circulation system shall be designed to assure that pedestrians can walk safely and easily throughout the development.
- 13.7.702 The system shall link open space within the development as well as with existing or potential open space on adjoining parcels where such connections are prohibited.
- 13.7.703 All sidewalks along streets shall connect with off-road trails where such connections are practical.
- 13.7.704 Pedestrian trails and other pathways that will provide public access for educational or recreational purposes may be located in open space areas that count toward the minimum open space requirement provided they are located and/or constructed so as to have no adverse impacts on Primary, Secondary, and Tertiary Conservation Areas.

13.7.8 Signs – not necessary. Any new sign shall follow Sign chapter.

- 13.7.801 Signs within the development shall adhere to the standards set forth in §8.4 (Signs) or as part of the zoning application or an amendment thereto.
- 13.7.802 The applicant may submit a unified sign plan that establishes more specific design standards (size, height, color, materials, illumination) and sign locations for the project to ensure a coordinated theme across the PUD District.

- 13.7.803 Such unified sign plan may be submitted after the approval of the zoning application and may be approved by the Zoning Administrator as an alternate to individual sign permits.

13.7.9 Stormwater Control – Language not necessary. County cannot review plans or enforce them.

- 13.7.901 Storm water management shall meet or exceed the State's minimum requirements for storm water management.
- 13.7.902 A common master storm water management plan may be developed for the project as a whole and may employ best management practices. This neither prohibits the development of the PUD District in phases nor the phased implementation of the storm water management system.

13.7.10 Utility Lines – included in site plan requirements

- 13.7.1001 All new utilities associated with the proposed development shall be underground unless just cause requires otherwise.

SECTION 13.8 OPEN SPACE REQUIREMENTS

13.8.1 Minimum Open Space Required – Changed all PUD-CZ to 30% (same as conservation subdivisions)

- 13.8.101 Where a developer elects to seek approval of a PUD-H as specified herein, at least twenty percent (20%) of the total land area in the PUD-H must be set aside as dedicated open space
- 13.8.102 Where a developer elects to seek approval of a PUD-R as specified herein, at least thirty percent (30%) of the total land area in the PUD-R must be set aside as dedicated open space

13.8.2 Types of Open Space – References to the Subdivision Regulations

Open Space shall be comprised of one or more of three types of land: Primary Conservation Areas, Secondary Conservation Areas, and Tertiary Conservation Areas.

- 13.8.201 **Primary Conservation Areas.** Sensitive environmental features and/or significant cultural resources considered unbuildable in a legal or practical sense shall be delineated first in identifying areas to satisfy the minimum open space requirement.
- *Wetlands*, including, but not limited to, streams, creeks, ponds, reservoirs, storm water management facilities for watershed protection purposes, and adjoining land areas as currently defined by the U.S. Army Corps of Engineers Field Manual.

- ***Floodplains***, defined as Special Flood Hazard Areas as determined by the Federal Emergency Management Agency (FEMA) or modeled by a Professional Engineer (PE) or County-designated flood of record contours.
- ***Vegetative buffers***, which screen the view of development and preserve the character of rural public roads. Any vegetative buffer provided may be used to satisfy the open space requirement, provided the minimum width of such buffer is not less than twenty five (25) feet and such buffers are not within a platted, privately-owned lot or publicly owned right-of-way.

13.8.202 **Secondary Conservation Areas.** Important natural or cultural features that may comprise the required open space provided all of the primary conservation areas within the site have been delineated and counted toward the open space requirement.

- ***Woodlands***, including forest land for the planting and production of trees and timber, where management practices such as selective timber harvesting and wildlife enhancement are employed. Such woodlands may consist of hardwood, pine, and/or mixed pine-hardwood forests identified as part of a site analysis conducted by a registered engineer, land surveyor, landscape architect, architect using aerial photographs and/or satellite imagery, a required Environmental Assessment or Environmental Impact Statement and/or an independent site study conducted by a trained botanist and/or forester.
- ***Farmland***, especially prime agricultural land as identified by the U.S.D.A. Soil Conservation Service and which is in active use for the production of crops and/or raising of livestock. Farmland can be leased for operation purposes only. The lease shall be subject to the approval of the POA and any transfer or assignment of the lease shall be further subject to the approval of the POA. Lease agreements so entered upon shall be recorded with the County within thirty (30) days of their execution. *This would be possible with larger tracts of land for crops and tillable land.* Agricultural land must be at least twenty (20) contiguous acres and contain at least twenty percent (25%) prime farmland soils or other soils of statewide importance.
- ***Land used for horticulture, silviculture or pasture uses.***
- ***Steep slopes***, defined as those greater than twenty-five percent (25%), identified as part of a site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner and calculated using topographic maps from a Moore County data survey or from the U.S. Geological Survey
- ***Natural areas, particularly those containing unique plants and wildlife habitats and corridors*** identified as part of a Natural Heritage Inventory (NHI), a required Environmental Assessment or Environmental Impact Statement; and/or an independent site study conducted by a trained botanist and/or biologist. An existing conservation easement provided such

conservation easement has been dedicated prior to application for approval of a PUD. The land subject to the easement may be counted toward satisfying the respective open space requirement provided it is a portion of and in the same ownership as the tract to be subdivided, and all other provisions of this section are met.

- ***Historic and archaeological sites*** listed on the National Register of Historic Places or included on the State's National Register study list, designated as a local historic landmark, designated as a local historic district, and/or identified as having a high potential for archaeological remains as part of a required Environmental Assessment or environmental Impact Statement and/or an independent site study conducted by a trained architectural historian or archaeologist. Where a historic or archaeological site is to be set aside as separate lot, and preserved and/or restored as part of the open space area, the entire area within the lot may be counted toward meeting the minimum open space requirement.

13.8.203 **Tertiary Conservation Areas.** Important natural or cultural features that may comprise the required open space provided the entire primary and secondary conservation areas within the site have been delineated and counted toward the open space requirement.

- ***Public and/or private recreation areas and facilities***, including Active recreation areas, such as public recreation areas, (including district and community parks), and private recreation facilities (including golf courses, playing fields, playgrounds, swimming pools, and courts for tennis, basketball, volleyball, and similar sports), whether public or private.
- ***Passive recreation areas***, such as pedestrian, bicycle, and equestrian trails, picnic areas, community commons or greens, and similar kinds of areas, whether public or private. Land in this category receives full credit toward meeting the minimum open space requirement.

13.8.3 Delineation of Open Space

13.8.301 All potential conservation areas shall be identified using a Site Analysis Map, which shall be drawn to scale, using such a scale that all features required to be shown on the plans are readily discernible, by a Professional Engineer currently licensed and registered in the State of North Carolina by the NC Board of Examiners for Engineers and Surveyors, or by a Landscape Architect currently licensed and registered by the North Carolina Board of Landscape Architects. Acceptable sources of data include, but are not limited to, readily available data, such as Land Cover data (source: CGIA), Gap Analysis data (source: CGIA), National Wetlands Inventory (NWI), Natural Heritage Inventory (NHI)

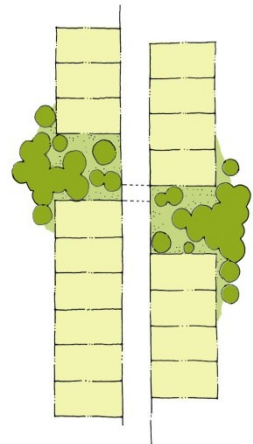


(source: CGIA), aerial photography, orthography, USGS maps, etc.

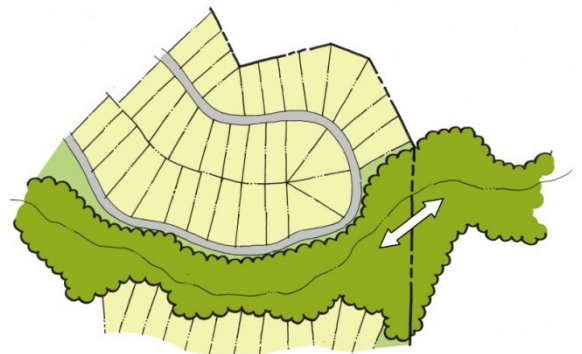
- 13.8.302 In satisfying the open space requirement, the Primary Conservation Areas, as described in §13.8.201 above, shall be delineated first.
- 13.8.303 If the minimum open space requirement cannot be satisfied with primary conservation areas, then Secondary Conservation Areas shall be delineated.
- 13.8.304 If the minimum open space requirement cannot be satisfied with primary and secondary conservation areas, then Tertiary Conservation Areas shall be delineated.
- 13.8.305 Where the site is equal to or greater than fifty acres, not more than eighty percent (80%) of the land used to meet the minimum open space requirement shall consist of Primary Conservation Area.
- 13.8.306 The remaining twenty percent (20%) must be fulfilled by Secondary Conservation Area and/or Tertiary Conservation Area.
- 13.8.307 Additional Open Space that exceeds the minimum requirement may be comprised of any type of Conservation Area.

13.8.4 Configuration or Design of Open Space – References to the Subdivision Regulations

- 13.8.401 The minimum width for any required open space shall be fifty (50) feet.
- 13.8.402 At least sixty percent (60%) of the required open space shall be contiguous. For the purposes of this section, contiguous shall include any open space bisected by a residential street, provided that a pedestrian crosswalk is constructed to provide access to the open space on both sides of the street.
- 13.8.403 The right-of-way area is not included in the calculation of minimum open space required.



- 13.8.404 The open space shall adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
- 13.8.405 The open space shall be directly accessible to the largest practicable number of lots within the subdivision.
- 13.8.406 Non-adjoining lots shall be provided with safe, convenient access to the open space (i.e. mid-block connections in logical locations).



- 13.8.407 No lot within the subdivision shall be further than a ¼ mile from the required open space, measured in a straight line without regard for street, sidewalk or trail connections to the open space.

13.8.5 Permitted Uses of Open Space – References in Subdivision Regulations. The applicant will also label on site plan natural open space areas.

If open space is not intended to be maintained in its natural state, uses of open space may include the following:

- 13.8.501 Pedestrian or multipurpose trails;
- 13.8.502 Passive recreation areas, including pocket parks;
- 13.8.503 Active recreation areas, such as ball fields and playgrounds, provided that impervious area is limited to no more than ten percent (10%) of the total open space (active recreation areas in excess of this impervious area limit shall be located outside of the protected open space);
- 13.8.504 Golf courses (excluding clubhouse areas and maintenance facilities),
- 13.8.505 Above-ground utility rights-of-way, provided the area does not exceed fifty percent (50%) of the required open space;
- 13.8.506 Water bodies, such as lakes and ponds, and floodways provided the total surface area does not exceed fifty percent (50%) of the required open space;
- 13.8.507 Agriculture, horticulture, silviculture or pasture uses;
- 13.8.508 Landscaped storm water management facilities;
- 13.8.509 Easements for drainage, access, and underground utility lines.

13.8.6 Ownership of Open Space - References in Subdivision Regulations.

- 13.8.601 No portion of the open space within a PUD (residential or non-residential) shall be part of an individual building lot unless a conservation easement is established in accordance with **§13.8.602**.
- 13.8.602 Open space may be owned and/or administered by any of the following methods, either individually or in combination.
- Fee simple dedication to Moore County, another unit of local government, the State of North Carolina or a private non-profit land conservancy.
 - Dedication of conservation easements to Moore County, another unit of local government, the State of North Carolina or a private non-profit land conservancy. Such easements may apply to a single property owned by a homeowners association and/or to all or portions of individual lots owned by one or more property owners.

- Ownership by a property owners association where specific development restrictions and maintenance requirements are included as part of its bylaws and restrictive covenants.
- A private landowner may retain ownership of the open space, provided a conservation easement established for that express purpose is recorded in the public records of Moore County prior to the approval of a plat or issuance of a building permit for a vertical structure on the property. The responsibility for maintaining the open space and any facilities shall be borne by the private land owner.

13.8.603 All open space shall be permanently restricted from further subdivision.

13.8.604 Where conservation easements have been dedicated prior to application for approval of a PUD, the land subject to the easement may be counted toward satisfying the respective open space requirement provided it is a portion of and in the same ownership as the tract to be subdivided, and all other provisions of this section are met.

13.8.7 Public Access to Open Space - References in Subdivision Regulations

13.8.701 Public access to open space preserved shall be provided only if such open space is to be dedicated to and therefore owned and maintained by Moore County, another unit of local government, the State of North Carolina or other public entity.

13.8.8 Maintenance of Open Space - References in Subdivision Regulations

13.8.801 Natural features shall be maintained in their natural condition, but may be modified to improve their appearance, functioning, or overall condition, as recommended by qualified professionals in the particular area being modified.

13.8.802 Permitted modifications may include:

- Reforestation;
- Forest management;
- Pasture or cropland management;
- Buffer area landscaping;
- Stream bank protection;
- Wetlands management;
- Understory clearing;
- Select clearing of meadows; and/or
- Creation of wildlife habitat

13.8.803 Unless accepted for dedication or otherwise agreed to by Moore County, another unit of local government, the State of North Carolina or a private non-profit land conservancy, the cost and responsibility of maintaining open space and any facilities located thereon shall be borne by the property owner and/or property owners association.

13.8.9 Disturbance of Open Space - References in Subdivision Regulations

Disturbance or construction activity may occur inside the open space when construction is done in such a way as to protect significant resources with approval of the Planning Director for the following limited purposes:

- 13.8.901 Emergency public safety activities when such activities cannot reasonably be restricted to areas outside the open space or other nearby developed areas. Measures shall be required to mitigate the impact of the disturbed area;
- 13.8.902 Engineered storm water controls, including but not limited to retention and detention basins, when they are designed to look like natural areas, provided the total area of water surface does not comprise more than fifty percent (50%) of the required open space.
- 13.8.903 Construction of a trail, pedestrian walkway, or road that will provide access between two (2) or more areas of the subdivision to be developed;
- 13.8.904 The removal of noxious species, such as kudzu or poison ivy, for general maintenance of the area.